

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case VII
No. 12231 ME-388
Decision No. 8727

No. 8727

on August 9, 1968, except such employees 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 employees desire to be represented by Chippewa County Employees, Local 736, AFSCME, AFL-CIO, affiliated with Wisconsin Council of County & Municipal Employees, AFSCME, AFL-CIO, for the purposes of conferences and negotiations with the above named Municipal Employer on questions of wages, hours and conditions of employment.

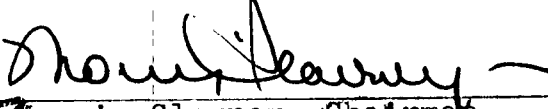
BARGAINING UNIT NO. 2

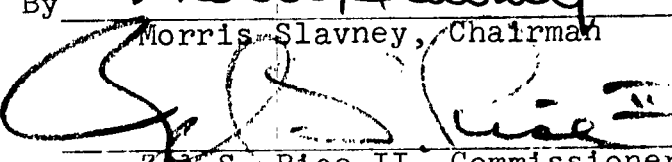
All regular full-time and regular part-time employees in the Chippewa County Courthouse and County Jail Building and all clericals in the Chippewa County Institutions, but excluding all elected officials, supervisory personnel, confidential employees and professional employees, who were employed by the Municipal Employer on August 9, 1968, except such employees 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 employees desire to be represented by Chippewa County Employees, Local 736, AFSCME, AFL-CIO, affiliated with Wisconsin Council of County & Municipal Employees, AFSCME, AFL-CIO, for the purposes of conferences and negotiations with the above named Municipal Employer on questions of wages, hours and conditions of employment.

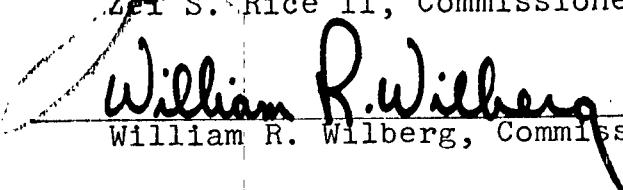
Given under our hands and seal at the City of Madison, Wisconsin, this 28th day of October, 1968.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zai S. Rice II, Commissioner


William R. Wilberg, Commissioner

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

CHIPPEWA COUNTY EMPLOYEES, LOCAL 736, AFSCME,
AFL-CIO, affiliated with WISCONSIN COUNCIL OF
COUNTY & MUNICIPAL EMPLOYEES, AFSCME, AFL-CIO

Case VII
No. 12231 ME-388
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Involving Employees of

CHIPPEWA COUNTY

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

Chippewa County Employees, Local 736, AFSCME, AFL-CIO, hereinafter referred to as the Union, petitioned for an election to determine the representative of all the employees in the Chippewa County Courthouse and clericals in the Chippewa County Institutions, but excluding all elected officials, supervisory personnel and confidential clerical employees. In the course of the hearing the parties stipulated to the appropriateness of two bargaining units described as follows:

BARGAINING UNIT NO. 1

All professional employees of the Chippewa County Welfare Department, excluding the department head and supervisors.

BARGAINING UNIT NO. 2

All regular full-time and regular part-time employees in the Chippewa County Courthouse and County Jail Building and all clericals in the Chippewa County Institutions, but excluding all elected officials, supervisory personnel, confidential employees and professional employees.

A question arose as to the eligibility to participate in the election in Bargaining Unit No. 2 with respect to Fred Roycraft, Beatrice Roycraft, Jean Hebert, William Gunderson, Jean R. Voigt, Thomas A. Burkart, Marvin Morrisette, Doris Tabor, Maxine E. Brookshaw, Helen Doebler, Harold J. Connolly, Harold W. Pohlzin and Joseph Joas.

Fred Roycraft is a Clerk in the Highway Department and the Employer claims he is confidential. Roycraft maintains the books and accounts of the Highway Department and carries out administrative functions at the direction of the Highway Commissioner. He prepares the statistical material on costs that is used by the Highway Committee in negotiating with the Union and attends the meetings and participates in the discussions during which the Highway Committee decides its policies on wages, hours and conditions of employment and he is the source of the material used by the Highway Committee in reaching such decisions. Roycraft's participation in the discussions at which the decisions on wages, hours and conditions of employment are made places him in a confidential role and he should be excluded from the appropriate collective bargaining unit and is, therefore, ineligible to vote.

Beatrice Roycraft and Jean Hebert are Deputy Registers of Deeds and are the only two employees of that Department. They are appointed by the elected Register of Deeds who is also their supervisor. Doris Tabor and Maxine E. Brookshaw are Deputy Clerks of Court and are appointed by the elected Clerk of Court who is their supervisor. The supervisors also have the right to discharge them. The Deputies are authorized to act in the place of the elected officials in their absence. The Employer contends that Roycraft, Hebert, Tabor and Brookshaw are confidential and should be excluded from the bargaining unit and not permitted to vote in the election. There is no basis for classifying any of these employees as confidential. They are not privy to any information relative to the employer-employee relationship and play no role in determining collective bargaining policy. Accordingly, they should be included in the bargaining unit and are eligible to vote.

William Gunderson is the County Auditor and Jean R. Voitl is the Deputy Clerk of Court and they are under the direct supervision of the County Clerk who appoints them. They are the only two full-time employees in that Department, although there is another part-time employee. The Employer contends that Gunderson and Voitl are confidential employees. The County Auditor maintains records and gathers statistical information which may or may not be used in establishing collective bargaining policy. However, he is not privy to the decisions of management with respect to personnel and labor policy and plays no role in the collective bargaining process. Voitl is the Deputy Clerk and like Gunderson is not privy to any confidential information nor does she participate in the collective bargaining process in any way. Accordingly, Gunderson and Voitl should be included in the collective bargaining unit and they are eligible to vote.

Thomas A. Burkart is the Deputy Treasurer and the only full-time employe in the County Treasurer's office. He is supervised by the County Treasurer who appoints him. The Employer claims that Burkart is confidential. However, Burkart is not privy to the decisions of management with respect to personnel and labor policies and plays no role in the collective bargaining process. He is included in the collective bargaining unit and is, therefore, eligible to vote.

Marvin Morrisette is the County Service Officer. He is elected to this position by the County Board for a statutory term. He supervises the one employe of that Department. His supervisory role is a limited one in that he only supervises one employe, but he is the only supervisor that the Employer has in that office. Accordingly, we find that Morrisette is a supervisory employe and should be excluded from the bargaining unit and, therefore, is ineligible to vote.

Helen Doeblner is the Register in Probate and is appointed by the County Judge. Harold J. Connolly is the Court Reporter and he is also appointed by the County Judge. Both of these employes are under the direct supervision of the County Judge. The Employer claims that these employes are confidential. However, they are not confidential in the employer-employe sense. They are not privy to the decisions of management with respect to personnel and labor policies and do not participate in the decisions with respect to collective bargaining. Accordingly, they should be included in the collective bargaining unit and are eligible to vote.

Harold W. Pohlzin is the County Zoning Administrator and is elected to that position by the County Board. The Employer contends that Pohlzin should be excluded from the bargaining unit because he is a supervisor. Pohlzin is the number one man in the County Zoning and, therefore, is the chief supervisor. While Pohlzin only has one employe to supervise he is the only arm of the Employer in that Department. Accordingly, he should be classified as supervisory and excluded from the collective bargaining unit. Therefore, he is ineligible to vote.

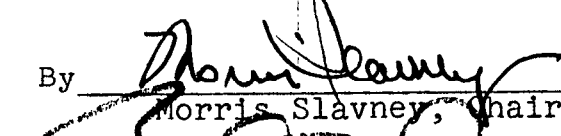
Joseph Joas is the County Land Agent and has charge of all County real estate and park acres. He supervises two park custodians and a secretary. His duties also require him to handle the workmen's

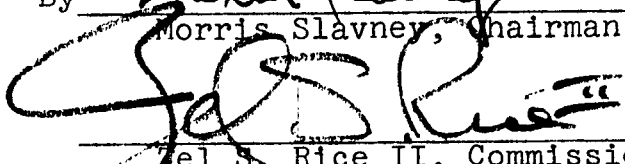
compensation for the County and to administer the payroll. While he supervises a limited number of people, he is the only arm of management in that Department. His role in handling the workmen's compensation claims of the County also place him in a position that is confidential in nature. Accordingly, he is not included in the bargaining unit.

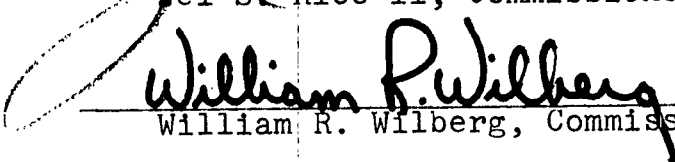
Dated at Madison, Wisconsin, this 28th day of October, 1968.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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