

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

-----  
In the Matter of the Petition of :  
 :  
TECHNICIANS, ENGINEERS AND ARCHITECTS :  
OF MILWAUKEE COUNTY : Case XXIX  
 : No. 12393 ME-406  
Involving Employes of : Decision No. 8765  
 :  
MILWAUKEE COUNTY :  
Milwaukee, Wisconsin :  
-----

Appearances:

- Mr. Marshall E. Fredrich, Attorney at Law, for the Petitioning Union.
- Mr. Robert G. Polasek, Assistant Corporation Counsel, for the Municipal Employer.
- Mr. Harold W. Schmidt, Assistant Director of Milwaukee District Council 48, for the Intervenor.

DIRECTION OF ELECTION

Petition having been filed on October 3, 1968, by the Technicians, Engineers and Architects of Milwaukee County, hereinafter referred to as T.E.A.M. Co., to conduct an election, pursuant to Section 111.70 of the Wisconsin Statutes, among certain employes of Milwaukee County, for the purposes of determining what representation, if any, said employes desire for the purposes of conferences and negotiations with said Municipal Employer on questions of wages, hours and conditions of employment; and a hearing on said petition having been conducted at Milwaukee, Wisconsin, on November 5, 1968, by Allan J. Harrison, Hearing Officer; and at the outset of the hearing Milwaukee District Council 48, American Federation of State, County and Municipal Employees, AFL-CIO, having been permitted to intervene in the instant proceeding on its claim that it represents certain professional engineering personnel in the employ of the Municipal Employer; and the Commission 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

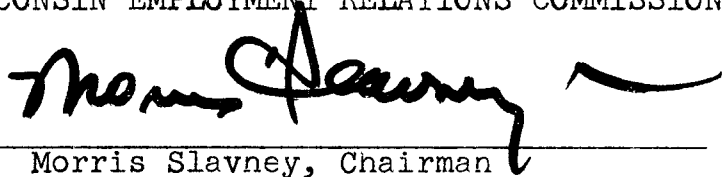
DIRECTED

That an election by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Commission within thirty (30) days from the date of this Directive among all Engineers, Engineering Technicians III, IV and V, Architects, Landscape Architects, Architectural Draftsmen, Design Draftsmen, Estimator and Specification Writer as included within the Engineering Group defined in Section 17.32(2) of the General Ordinances of Milwaukee County, excluding all other employees which are in currently certified bargaining units and excluding all other employees, supervisory employees, confidential employees and executives who were employed by the Municipal Employer on November 5, 1968, except such employees as may prior to the election quit their employment or be discharged for cause for the purposes of determining whether a majority of such employees desire to be represented by Technicians, Engineers and Architects of Milwaukee County, or by Milwaukee District Council 48, American Federation of State, County and Municipal Employees, AFL-CIO, or by 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 20<sup>th</sup> day of November, 1968.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner



an allegation of employer dominance of the representative or of employer interference with the rights of employees to collective action. This reasoning is equally applicable to the instant case.


Testimony presented by the President of the Petitioner, Lloyd Mlejnek, made very clear the Petitioner's "purpose of representing municipal employees on matters pertaining to wages, hours and conditions of employment".

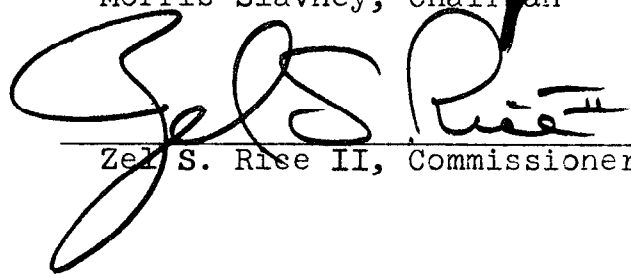
We therefore conclude that the Petitioner is an employee organization as contemplated in Section 111.70 and is therefore entitled to participate in an election to determine bargaining representatives.

Dated at Madison, Wisconsin, this 20<sup>th</sup> day of November, 1968.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Zel S. Rise II, Commissioner