STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

SERVICE EMPLOYEES! INTERNATIONAL UNION, LOCAL 150, AFL-CIO

Involving Custodians and Cafeteria Employes of

COMMON SCHOOL DISTRICT NO. 14, CITY OF NEW BERLIN, WAUKESHA COUNTY, WISCONSIN

Case III No. 12893 ME-456 Decision No. 9082

Appearances:

Mr. Don Beatty, President, and Mr. William Knudsen, Business Representative, for the Petitioner.

Mr. Patrick F. Brown, Attorney at Law, for the Employer.
Mr. Walter J. Klopp, Representative, for the Intervenor,
Wisconsin Council of County and Municipal Employees, Council
#40, AFSCME, AFL-CIO.

DIRECTION OF ELECTION

Service Employees' International Union, Local 150, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission to conduct an election, pursuant to Section 111.70 of the Wisconsin Statutes, among certain employes of Common School District No. 14, City of New Berlin, Waukesha County, Wisconsin; and a hearing on such petition having been conducted at Milwaukee, Wisconsin, on June 3, 1969, by Allan J. Harrison, Hearing Officer; and during the course of said hearing, Wisconsin Council of County and Municipal Employees, Council #40, AFSCME, AFL-CIO, having been permitted to intervene in the instant proceeding on its claim that it represents certain employes 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 above named 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 sixty (60) days from the date of this Directive in the bargaining unit

consisting of all regular full-time and regular part-time employes of Common School District No. 14, City of New Berlin, Waukesha County, Wisconsin, employed as custodians and cafeteria employes, excluding supervisory and confidential employes, who were employed by the Municipal Employer on May 29, 1969, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employes desire to be represented by Service Employees' International Union, Local 150, AFL-CIO, or by Wisconsin Council of County and Municipal Employees, Council #40, AFSCME, AFL-CIO, 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 June, 1969.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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Morris Slavney, Chairman

Zel S. Rice II, Commissioner

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MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

Because of the fact that the school year is about to close and the employes will not be working their normal hours during the school vacation period at such time as the vote is conducted, and because the parties could not agree as to the means of advising the employes as to the coming vote or as to whether the employes should vote by mail or otherwise, the Commission has determined to conduct the election by mail ballot. As a result the Municipal Employer is being requested to furnish the Commission, within ten (10) days of the receipt of a copy of this Direction, a list of the names and home addresses of the employes in the bargaining unit in order that the Commission may send each employe a notice of the election and a ballot upon which to designate his choice with respect to representation. Prior to the mailing of such materials to the employes the Commission will advise the representatives of the parties the procedures adopted by the Commission for the conduct of the mail ballot.

Dated at Madison, Wisconsin, this 10th day of June, 1969.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Morrio Slavney, Chairman

Zel S. Rice II, Commissioner