

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case V  
No. 13309 ME-503  
Decision No. 9458

Mr. Frank Bucholtz, Director of Organization, and Mr. James Gustafson, President, for the Intervenor.

NOW, THEREFORE, it is

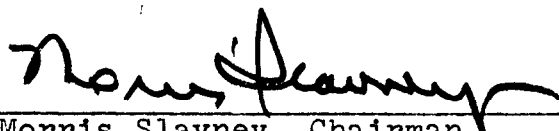
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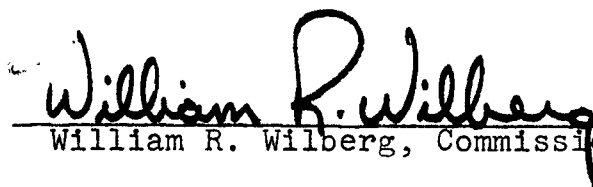
That an election by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Commission within sixty (60) days from the date of this Directive in the collective bargaining unit consisting of all full-time and regular part-time certificated teachers under contract to the Hurley Joint School District No. 1, Hurley, Wisconsin, but excluding substitute teachers, speech therapists, guidance counselors, curriculum coordinator, vocational education coordinator, principals, administrators and supervisory employees, who were employed by the Municipal Employer on January 16, 1970, 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 Hurley Education Association, or by Hurley Federation of Teachers, Local 1290, 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 16th day of January, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner

  
William R. Wilberg, Commissioner

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In the Matter of the Petition of :  
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HURLEY EDUCATION ASSOCIATION :  
 :  
Involving Certain Employees of : Case V  
 : No. 13309 ME-503  
 : Decision No. 9458  
JOINT SCHOOL DISTRICT NO. 1 (TOWNS OF :  
ANDERSON, CAREY, GURNEY, KIMBALL, KNIGHT, :  
OMA, PENCE AND SAXON; and the CITIES OF :  
HURLEY AND MONTREAL) :  
Hurley, Wisconsin :  
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During the course of the hearing herein an issue arose as to whether teachers who are teaching less than one-half of a normal teaching schedule should or should not be included in the appropriate collective bargaining unit. In a previous election proceeding involving the teachers,<sup>2/</sup> and following an election conducted by it, the Commission certified Hurley Federation of Teachers, Local 1290, AFL-CIO, as the bargaining representative of "all full-time and part-time certificated teachers under contract to the Hurley Joint School District No. 1, Hurley, Wisconsin, but excluding substitute teachers, administrators, and other supervisory personnel." Following the said Certification the Municipal Employer and the Hurley Federation of Teachers entered into an agreement with respect to salaries, hours and working conditions of said employes, and therein provided that the provisions thereof should be "applicable to all full time and half time certificated personnel under contract to the 'Employer'." The Petitioner herein, the Hurley Education Association, during the hearing, contended that all regular part-time teachers, regardless of the number of hours taught by them, should be included in the bargaining unit. The Hurley Federation of Teachers and the Municipal Employer contended that only those part-time teachers who would teach at least half of the normal teaching schedule should be included in the unit and those not teaching at least half of a normal teaching schedule should be excluded from the unit.

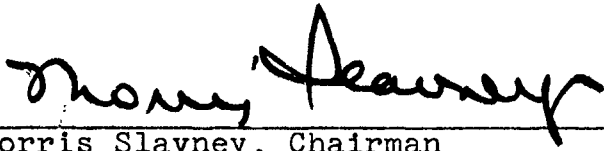
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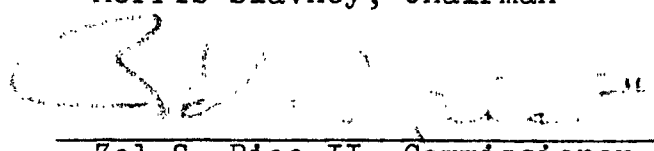
The Commission has never adopted a policy requiring part-time employees to work a specified number of hours in order to be included among those eligible to participate in an election. If an employee is regularly employed, regardless of the number of hours worked by him, such an employee has a definite interest in the wages, hours and working conditions covering his employment.<sup>3/</sup> Accordingly, the bargaining unit should include all regular part-time certificated teachers regardless of whether they work at least half time.

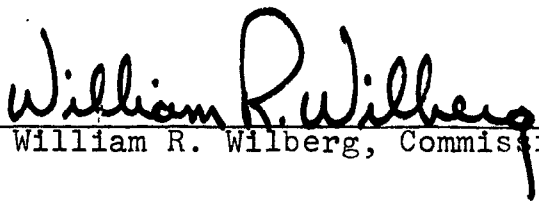
Dated at Madison, Wisconsin, this 16th day of January, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner

  
William R. Wilberg, Commissioner

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<sup>3/</sup> Florence County Joint School District No. 1, Decision No. 6143.