

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of

LOCAL 1280, WINNEBAGO COUNTY HOSPITAL  
AND HOME EMPLOYEES, WISCONSIN COUNCIL  
OF COUNTY AND MUNICIPAL EMPLOYEES,  
AFSCME, AFL-CIO

Involving Certain Employes of

WINNEBAGO COUNTY  
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Case XXVI  
No. 13676 DR-10  
Decision No. 9595-A

ORDER DISMISSING PETITION FOR DECLARATORY RULING

Local 1280, Winnebago County Hospital and Home Employees, Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission to issue a Declaratory Ruling to determine whether certain named positions in the employ of Winnebago County should be included or excluded from the certified collective bargaining unit consisting of "all employees of Winnebago County Hospital and Pleasant Acres Home, excluding the superintendent, assistant superintendent, matron, dentist, medical doctor, psychiatrist, engineer, chief cook, aide supervisors, registered nurse, laundry manager, farm manager, occupational therapist registered, and beautician";<sup>1/</sup> and hearing in the matter having been conducted at Oshkosh, Wisconsin, on June 2, 1970, before George R. Fleischli, Hearing Officer; and at such hearing the parties having entered into a stipulation with regard to the matter and having agreed that the positions involved were either supervisory or confidential; and the Commission, being satisfied as the result of such stipulation, that no Declaratory Ruling is necessary in the instant matter;

NOW, THEREFORE, it is

ORDERED

That the petition filed herein be, and the same hereby is, dismissed.

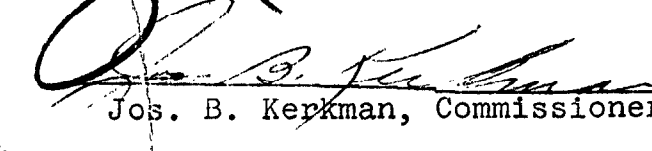
Given under our hands and seal at the  
City of Madison, Wisconsin, this 6th  
day of July, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
J. S. Rice II, Commissioner

  
Jos. B. Kerkman, Commissioner

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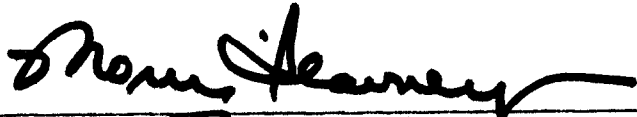
During the course of the hearing the parties stipulated that the positions of maintenance supervisor, assistant housekeeping supervisor, and assistant laundry supervisor are supervisory positions, and, therefore, are excluded from the existing collective bargaining unit. The parties also stipulated that the position of personal secretary to the assistant superintendent for professional service is a confidential position, and, therefore, is excluded from the existing collective bargaining unit. The parties further stipulated that the assistant to the in-service instructor is a supervisory position, and as such, is excluded from the bargaining unit so long as the job description and the duties of the position include the exercise of supervisory control over the nurses aides while the latter are in training and, thereafter, including the assignment of work, the effective authority to recommend discharge and other forms of discipline, the making of

confidential reports concerning job performance of nurses aides and the requiring of additional training for nurses aides whose performance has fallen below acceptable standard.


Since the parties agreed to exclude all the positions covered by the Petition for Declaratory Ruling, the matter has been voluntarily disposed of, and, therefore, the petition has been dismissed.

Dated at Madison, Wisconsin, this 6th day of July, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
Morris Slavney, Chairman

  
Zel B. Rice II, Commissioner

  
Jos. B. Kerkman, Commissioner