

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of	:	Case XLIV
DISTRICT COUNCIL 48	:	No. 13847
Involving Certain Employes of	:	ME-565
MILWAUKEE COUNTY	:	Decision No. 9767
INSTITUTIONS AND DEPARTMENTS	:	
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Appearances:

Mr. Robert G. Polasek, Assistant Corporation Counsel, for the  
Municipal Employer.  
 Goldberg, Previant & Uelmen, by Mr. John S. Williamson, Jr.,  
 Attorney at Law, for the Union.

DIRECTION OF ELECTION

Petition having been filed with the Wisconsin Employment Relations Commission by District Council 48, AFSCME, AFL-CIO, requesting the Commission to conduct an election pursuant to Section 111.70, Wisconsin Statutes, among certain employes of the County of Milwaukee, and a hearing on such petition having been conducted at Milwaukee, Wisconsin, on June 18, 1970, before Allan J. Harrison, Hearing Officer; 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 should be conducted under the direction of the Wisconsin Employment Relations Commission within sixty (60) days from the date of this Directive among all regular part-time Hospital Attendant I's and Child Psychiatric Aide I's employed by Milwaukee County in its institutions and departments, who were employed by the Municipal Employer on June 6, 1970, except such employes 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 employes desire to be represented by District Council 48, 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.<sup>1/</sup>

Given under our hands and seal at  
the City of Madison, Wisconsin,  
this 26th day of June, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney  
Morris Slavney, Chairman

William R. Wilberg  
William R. Wilberg, Commissioner

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<sup>1/</sup> The parties have stipulated that should the employes involved herein designate District Council 48 as their collective bargaining representative then said employes shall accrete to the existing unit consisting of all regular full-time and regular part-time employes of the County of Milwaukee, excluding fire fighting classifications, and other craft employes, registered nurses and other professional employes, confidential employes, supervisors, department heads and exempt positions, said unit being presently represented by the Labor Organization involved herein.



schedules with their supervisor at the beginning of each school term. At that time they are assigned an eight or eight-and-a-half-hour shift for two or three days a week. Later they may fill in where needed if they are available. This leads to considerable variation in the hours worked per pay period. During the summer months, when school is out, these employes may be assigned regular forty-hour shifts. Apparently these individuals have continuing employment and may work for one or more years for the Municipal Employer. Both parties agreed that these employes perform the same type of duties as are performed by employes in the Child Psychiatric Aide I and the Hospital Attendant I classifications.

Based on the nature of the work performed and the scheduling of the employes involved, the Commission concludes that the employes involved are regular part-time employes and are therefore entitled to representation under the Act. The lack of civil service status and the absence of fringe benefits are not factors which affect this regular part-time status.

Based on the above considerations the Commission is satisfied that a question of representation exists and we have directed that an election be conducted among the employes.

Dated at Madison, Wisconsin, this 26th day of June, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Thomas Slavney  
Morris Slavney, Chairman

William R. Wilberg  
William R. Wilberg, Commissioner