

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Involving Certain Employees of
DEPARTMENT OF PUBLIC INSTRUCTION

Case V
No. 13856 SL-28
Decision No. 9799

DIRECTION OF ELECTION

Association of Professional and Related Employees, Department of Public Instruction, having filed a petition with the Wisconsin Employment Relations Commission, wherein it requested that the Commission conduct an election, pursuant to Section 111.83 of the Wisconsin Statutes, among nurses employed in the Department of Public Instruction, who are classified as Handicapped Children Specialists, to determine whether said employes desire to be included in an existing collective bargaining unit consisting of "all professional and related classifications employed in the Department of Public Instruction, excluding classroom teachers employed at the Wisconsin School for the Deaf and the Wisconsin School for the Visually Handicapped, and also excluding confidential, supervisory and managerial employes and all other employes"; and hearing on such petition having been held at Madison, Wisconsin, on July 10, 1970, Chairman Morris Slavney being present, and during the course of said hearing the Wisconsin Nurses Association, Inc. having been permitted to intervene in the proceeding on its claim that it is the certified collective bargaining representative of the employes involved in the petition; and the Commission having reviewed the evidence and arguments of Counsel, and being fully advised in the premises, and being satisfied that a question has arisen concerning representation for certain employes employed in the Department of Public Instruction, State of Wisconsin;

NOW, THEREFORE, it is

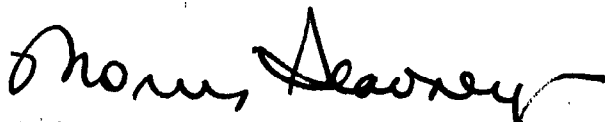
DIRECTED


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 among all regular full-time


and regular part-time professional nurses in the employ of the Department of Public Instruction, excluding supervisors, limited term employees and all other employees, who were employed by said Employer on July 14, 1970, except such employees as may prior to the election quit their employment or be discharged for cause, to determine whether or not a majority of said employees desire to be represented for the purposes of collective bargaining by the Association of Professional and Related Employees of the Wisconsin Department of Public Instruction, or by the Wisconsin Nurses Association, Inc., or by neither of said organizations.

Given under our hands and seal at the
City of Madison, Wisconsin, this 14th
day of July, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DEPARTMENT OF PUBLIC INSTRUCTION

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

On January 16, 1970, following an election conducted by it, the Commission certified the Association of Professional and Related Employees of the Wisconsin Department of Public Instruction (APRE) as the collective bargaining representative for "all professional and related classifications employed in the Department of Public Instruction, excluding classroom teachers employed in the Wisconsin School for the Deaf and the Wisconsin School for the Visually Handicapped and also excluding confidential, supervisory and managerial employees and all other employees." Also excluded from the unit were five graduate nurses who are classified as "Handicapped Children Specialists," since said nurses were included in the existing collective bargaining unit of graduate nurses employed in the Department of Public Instruction. In the instant petition, which was filed on June 1, 1970, the APRE requested that an election be conducted among the five nurses who are classified as Handicapped Children Specialists "to be decertified from the WNA and be included in the APRE group. No collective bargaining agreement exists between the Department of Public Instruction with either of the employee Associations involved herein.

During the course of the hearing the parties stipulated that there were eight graduate nurses presently employed in the Department, five as "Handicapped Children Specialists" and the remaining three as "Graduate Nurses." The parties stipulated that an election be conducted by the Commission to determine whether the eight nurses employed in the Department desired to be represented, for the purposes of collective bargaining, by APRE, the WNA, or by neither of said organizations. It was further stipulated that, if a majority of the employees eligible selected the APRE as their collective bargaining representative, then all nurses employed in the Department will accrete to the unit of professional and related employees employed in the Department and presently represented by the APRE. If the results are otherwise, then, at least for the time being, the WNA will continue as the representative of the graduate nurses in the employ of the Department, except should a majority of the employees eligible vote against any representation.

Dated at Madison, Wisconsin, this 14th day of July, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Zel S. Rice II
Zel S. Rice II, Commissioner

Jos. E. Kerkman
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