STATE OF STECONSI.

DIFCLE WIL WISCONSIN BREMOY, EAR RELATIONS CO. MISSION

In the matter of the Petition of

LADUIDAS LOCAL \$464

Involving cartain Amployes of

District COUNTRY

Cast AT

Mo. 14130 LE-500 Decision No. 10019

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Laworers Local [464 having on October 23, 1970 filed a petition with the Misconsin Employment Relations Commission requesting that an election be conducted among certain employes in the employ of Dane County, Misconsin, pursuant to Section 111.70, Misconsin Statutes; and hearing on such petition having been conducted on Movember 9, 1970 at Madison, Misconsin, Defore Chairman Horris Slavney, and during the course of the hearing, Dane County Joint Council of Unions, Mysche, MFL-CIO having been permitted to intervene in the proceeding on its claim that it presently represents the employes involved in the petition, and further, that the wages, nours and conditions of employment of said employes are covered in a collective bargaining agreement executed between it and Dane County, in effect from January 1, 1970 through becember 31, 1970, and prior to the close of the nearing, the Petitioner, having become aware that its petition was not timely filed, requested to withdraw its petition;

MOW, THE ELOPE, it is

ORDERED

That the petition filed in the instant matter be, and the same hereby is, dismissed.

Given under our hands and seal at the City of Madison, Wisconsin, this 20th day of November, 1970.

WISCOMSIN EMPLOY FINT RELATIONS COLLISSION

S, Nice, II, Commis

Jos. B. Kerkman, Commissioner

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of
LABORERS LOCAL #464
Involving Certain Employes of

Case XI No. 14150 ME-593 Decision No. 10019

DAME COUNTY

ORDER OF DISMISSAL

Laborers Local #464, on October 28, 1970 filed a petition with the Commission requesting that an election be conducted pursuant to Section 111.70, Wisconsin Statutes, among "all journeymen laborers and trainees in the employ of Dane County, excluding supervisors and all other employes". Pursuant to notice, hearing was commenced in the matter on Movember 9, 1970, during which Dane County Joint Council of Unions, AFSCHE, AFL-CIO, hereinafter referred to as AFSCHE, was parmitted to intervene on the claim that it presently represented the employes involved in the petition, and in that regard, introduced as the exhibit was a copy of a collective bargaining agreement which had been executed by Dane County and AFSCME, on January 20, 1970, which by its terms was to be effective from January 1, 1970 through December 31, 1970.

In said agreement the County recognized AFSCHE as the exclusive collective bargaining representative for "all regular full-time and regular part-time employes, except law enforcement personnel employed in the Sheriff's Department and in the Traffic Department, and supervisors and confidential employes".

Article XVIII provided, in addition to the fact that the agreement would become effective January 1, 1970 and would remain in effect through December 31, 1970, that said agreement could be reopened by AFSCIT by notifying the other party on or before August 1, 1970 that it desired to modify the agreement.

During the course of the hearing the evidence indicated that AFSCAT prior to August 1 notified the County that it desired to modify the agreement, and in fact, had been engaged in negotiations with the County when the instant petition had been filed.

as the Hearing Officer, that pursuant to a policy established by the Commission that the petition herein was untimely filed since it was not filed within the 60 day period prior to August 1, 1970, the data reflected in the agreement for the reopening of same, that, in all probability, the Commission would dismiss the petition as being untimely filed. Thereupon, the Petitioner requested permission to withdraw its petition and we have today issued an order dismissing the petition herein.

Given under our hands and seal at the City of Madison, Wisconsin, this 20th day of November, 1970.

WISCONSIN BEPLCYMENT ELLETIONS COLLISSIO.

Morris Slavney, Chairman

S. Nice, II, Commissioner

Jos. B. Kerkman, Commissioner