

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

LOCAL 150, SERVICE EMPLOYEES
INTERNATIONAL UNION

Involving Certain Employees of

HOLMEN AREA JOINT SCHOOL
DISTRICT NO. 1

Case I
No. 14219 ME-601
Decision No. 10059

Appearances:

Mr. Roger Jacobson, Business Representative, and Mr. Leon DeBroux,
Business Representative, for the Union.
Mr. Wayne Diekrager, Superintendent, and Mr. Darrel Talcott,
Attorney at Law, for the Municipal Employer.

DIRECTION OF ELECTION

Local 150, Service Employees International Union having petitioned the Wisconsin Employment Relations Commission to conduct an election, pursuant to Section 111.70, Wisconsin Statutes, among certain employees of Holmen Area Joint School District No. 1, Holmen, Wisconsin; and a hearing on such petition having been conducted on December 7, 1970, at Holmen, Wisconsin, by Zel S. Rice II, Commissioner; and during the course of said hearing the parties having agreed to the unit appropriate for collective bargaining and to the employees eligible to vote within said unit; and the Commission having considered the evidence, and being satisfied that a question has arisen concerning representation for certain employees of the above named Municipal Employer;

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 in the bargaining unit consisting of all full-time and all regular part-time employees of the Holmen Area Joint School District No. 1, excluding confidential, professional and supervisory employees, who were employed by the Municipal Employer on December 10, 1970, except such employees 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 employees desire to be represented by Local 150, Service Employees International Union, 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 10th day of
December, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slayney, Chairman

Zel S. Rice II, Commissioner

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MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

During the course of the hearing, while the parties agreed to the description of the unit appropriate for collective bargaining, an issue arose as to whether five individuals should be included or excluded from the unit. The individuals involved were Marion Marcus, secretary to the elementary school principal; Gladys Paudler, secretary to the principal of the secondary school, who is also the assistant superintendent; John Dettinger, supervisor of maintenance and custodial services; Gordon Knudson, head building custodian in the elementary school; and Merlin Paudler, head building custodian in the secondary school.

Marion Marcus, as secretary to the elementary principal, has access to all personnel records of the elementary teachers and of the personnel in the supporting services. The elementary principal supervises the elementary teachers and the personnel in the supporting services department and evaluates them. As secretary to the elementary principal Marcus types all of his correspondence and opens his mail and will type all reports evaluating personnel. Any recommendations made by the elementary principal may well be in the form of correspondence and would be prepared by Marcus.

The assistant superintendent supervises most of the non-teaching personnel as well as the secondary school teachers. As his secretary Gladys Paudler has access to his files, opens his mail and handles all of his correspondence. She will type personnel evaluations and maintains the personnel files. The secondary principal is required to evaluate employees and set policy and make decisions with respect to employees.

Since both Marion Marcus and Gladys Paudler are privy to decisions of supervisory personnel with respect to employees and labor relations policies, they are excluded from the unit as confidential employees.

John Dettinger, as the supervisor of maintenance and custodial services receives a salary of approximately \$800 a year more than any other custodial employee. During the summer months he supervises the other custodial employees and assigns their work. The rest of the year he more or less works on his own and does maintenance and repair work as it arises. During the regular school year Dettinger does not perform the same type of work as other employees but is primarily engaged

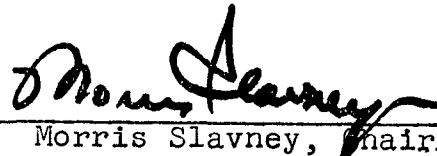
in maintenance work which would require a higher skill. While he has some supervisory functions during the summer months, he works with the other employees most of the time. He has never recommended discipline for another employee and does not think he would do so. While it would appear that Dettinger does some supervisory work during the summer months, his duties during most of the year do not require him to perform a supervisory role. While Dettinger is paid substantially more than the other custodial employees, this is primarily for the special skills he has in the area of maintenance and repair. His role in the summer is primarily that of a working foreman, and he is not a true supervisor because he spends most of his time performing the same duties as the personnel he supervises. His position is included in the bargaining unit, and Dettinger is eligible to participate in the election.

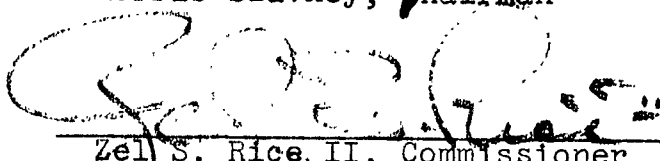
Merlin Paudler is the head building custodian in the secondary school and Gordon Knudson is the head building custodian in the elementary school. There are two other custodial employees working in the same building with Knudson and three in the same building with Paudler. Both Paudler and Knudson perform the same type of work as the other custodial employees in their buildings, and they are both under the direct supervision of the building principal. They receive their orders from the building principal and transmit them to the other employees in their building. They are paid the same as the other custodial employees. Neither has recommended discipline of another employee. Both Paudler and Knudson are considered leadmen, rather than supervisory employees, and their positions are included in the bargaining unit, and they are eligible to participate in the election.

Dated at Madison, Wisconsin, this 10th day of December, 1970.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice, II, Commissioner

