

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of	:	
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LOCAL 150, SERVICE & HOSPITAL EMPLOYEES'	:	Case XII
INTERNATIONAL UNION, AFL-CIO	:	No. 14295 E-2681
	:	Decision No. 10130-B
Involving Certain Employes of	:	
	:	
ST. MARY'S HOSPITAL OF MILWAUKEE	:	
Milwaukee, Wisconsin	:	
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ORDER TO OPEN CHALLENGED BALLOT

The Wisconsin Employment Relations Commission having conducted an election on Wednesday, February 10, 1971, among certain employes of St. Mary's Hospital of Milwaukee, Wisconsin; and the Union having challenged the ballot of Jean Pape, and it appearing from the tally sheet that the ballot of Jean Pape, if entitled to be counted in said election, would affect the results thereof; and hearing on said ballot having been conducted on March 22, 1971, before Robert B. Moberly, Examiner; and the Commission being satisfied that Jean Pape is entitled to vote in said election, and that her ballot therefore should be opened and counted;

NOW, THEREFORE, it is

ORDERED

That the ballot of Jean Pape be opened and counted on Monday, June 21, 1971, at 10:00 a.m. at the Milwaukee State Office Building, Room 560, 819 North Sixth Street, Milwaukee, Wisconsin.

Given under our hands and seal at the City of Madison, Wisconsin, this 14th day of June, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney  
Morris Slavney, Chairman

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

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MEMORANDUM ACCOMPANYING  
ORDER TO OPEN CHALLENGED BALLOT

Local 150, Service & Hospital Employees' International Union, AFL-CIO, petitioned the Wisconsin Employment Relations Commission for an election among certain employes of St. Mary's Hospital, Milwaukee, Wisconsin. On January 25, 1971, the Commission directed an election in the collective bargaining unit consisting of all regular full-time and regular part-time employes working twenty hours or more per week in the housekeeping department of St. Mary's Hospital, excluding supervisors and all other departments. The vote was conducted on February 10, 1971, and the results were thirty-one "yes" ballots favoring Local 150 as the collective bargaining representative; thirty "no" ballots; and one challenged ballot. The challenged ballot was that of Jean Pape, whose ballot was challenged by the Union on the claim that she is a confidential employe. Since the challenged ballot might affect the results of the election, the Employer requested the Commission to conduct a hearing with respect to the challenged ballot.

The employe in question is classified as a "Clerk Typist Senior" under the supervision of the Executive Housekeeper of the Housekeeping Department. A written description of her duties submitted at the hearing describes her duties as follows:

- "1. Take incoming calls and inform supervisory staff of request.
2. Make and type all schedules after approved by department head.
3. Take care of time cards - prepare them for payroll.
4. Inform admitting of room status.
5. Prepare and keep all Housekeeping records.
6. Inform other departments of routine action.
7. Type and send out departmental correspondence.
8. Contact other departments for appointments and meetings.

9. Type periodic reports.
10. Run errands - pick up or deliver small articles within the Hospital."

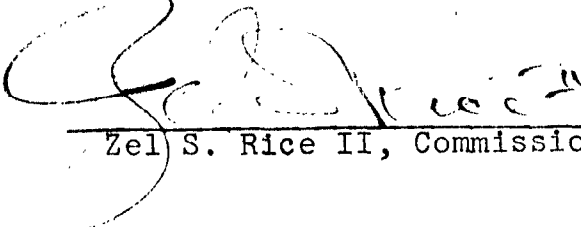
It was testified without contradiction that she does not type employment forms for personnel files and does not have access to personnel files, which are kept separately in the personnel office. She does not see written reprimands or records of other disciplinary measures, nor does she have access to employe evaluation reports. We are satisfied that the employe in question performs only ordinary clerical duties and does not perform confidential duties. Upon a full consideration of the evidence and testimony, the challenge to the employe's ballot cannot be sustained. We are, therefore, today directing that the ballot be opened and counted in the final tally.

Dated at Madison, Wisconsin, this 14th day of June, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner