

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of
WISCONSIN COUNCIL OF COUNTY AND
MUNICIPAL EMPLOYEES, AFSCME, AFL-CIO
Involving Certain Employes of
BARRON COUNTY (DEPARTMENT OF SOCIAL
SERVICES)

Case II
No. 14328 ME-613
Decision No. 10146

Appearances:

Mr. Richard Erickson, Representative, for the Petitioner.
Mr. Leon C. Stolper, Director, Department of Social Services,
for the Municipal Employer.

DIRECTION OF ELECTIONS

Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO having petitioned the Wisconsin Employment Relations Commission to conduct an election pursuant to Section 111.70 of the Wisconsin Statutes, among certain employes of Barron County employed in the Department of Social Services; and a hearing on such petition having been conducted on January 19, 1971, at Barron, Wisconsin, by Zel S. Rice II, Commissioner; and the Commission having considered the evidence and being satisfied that questions have arisen concerning representation for certain employes of the above Municipal Employer;

NOW, THEREFORE, it is

DIRECTED

That elections 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 following appropriate collective bargaining units:

UNIT NO. 1

All regular full-time and regular part-time Social Workers and Trainees employed by Barron County in the Department of Social Services, but excluding supervisory, confidential and all other employes, who were employed by the Municipal Employer on January 19, 1971, 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 Wisconsin Council of County and Municipal Employees, 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.


UNIT NO. 2

All regular full-time and regular part-time employees employed by Barron County in the Department of Social Services, but excluding professional, supervisory and confidential employees, who were employed by the Municipal Employer on January 19, 1971, 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 Wisconsin Council of County and Municipal Employees, 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.

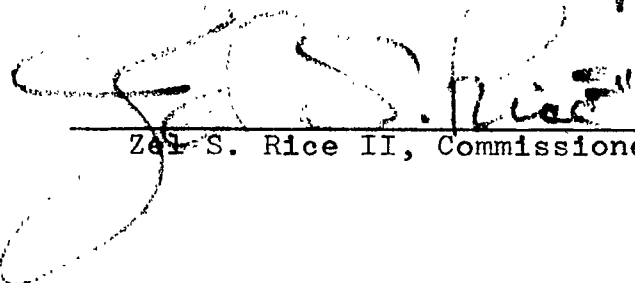
Given under our hands and seal at the City of Madison, Wisconsin, this 3rd day of February, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By



Morris Slavney, Chairman



Zel S. Rice II, Commissioner

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MEMORANDUM ACCOMPANYING DIRECTION OF ELECTIONS

During the course of the hearing an issue arose as to the inclusion of Shirley McGiffin in Bargaining Unit No. 1 and LaVonne Thompson in Bargaining Unit No. 2.

McGiffin has been employed by the Municipal Employer for ten years and presently occupies the position of Basic Services Supervisor. She supervises all social workers and case aides. While she cannot discipline, hire or fire any of the employees she supervises, she does consult with the Director with respect to such action. She assigns case loads to the thirteen employees she supervises and sees that these assignments are carried out in the manner expected. The Director also has supervisory authority over these employees and his is the overall responsibility for the entire Department. McGiffin receives at least \$72 per month more than any of the employees she supervises, as a result of her supervisory duties. A majority of her time is spent in supervising employees although she occasionally may see a welfare recipient. She also evaluates the work of the employees so supervised and consults with the Director of the Department with regard to such evaluations. We are satisfied that McGiffin is a supervisor and therefore is excluded from Bargaining Unit No. 1 and not eligible to participate in the election.

LaVonne Thompson occupies the position of Administrative Assistant I. She has been an employee of the Department since 1963. Her salary range is at least \$135 a month more than any of the other personnel that she supervises. Her level of pay is established by the fact that the State Department of Public Welfare requires an Administrative Assistant I to be paid an amount in the area of the pay level she receives. Thompson does not have discretion except in the area of evaluation but more or less sees that the Director's orders are carried out. She is the personal secretary to the Director and has access to the personnel records which are kept by him.


Thompson is not truly a supervisor. While she does have some supervisory authority over approximately four people she spends most of her time doing the same sort of work as the people she supervises. She has some authority to direct the personnel and assign their duties but most of the roles of the clerical staff are very well defined. Thompson would have very little discretion in changing

them, but would be required to consult with the Director of the Department. She is the personal secretary to the Director and as such does have access to the personnel records of all the employes including those she supervises. While she is neither a true supervisor nor exclusively a confidential employe, the roles are combined in such a way that she is excluded from Bargaining Unit No. 2 and not eligible to participate in the election.

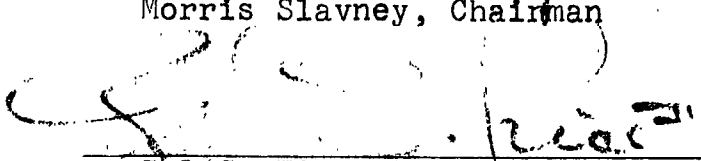
Dated at Madison, Wisconsin, this 3rd day of February, 1971.

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Morris Slavney, Chairman



Zel S. Rice II, Commissioner