

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

LOCAL 1486, AFFILIATED WITH DISTRICT
COUNCIL 48, AFSCME, AFL-CIO

Involving Certain Employees of

JOINT UNION HIGH SCHOOL DISTRICT
NO. 1 (NICOLET HIGH SCHOOL),
MILWAUKEE COUNTY, WISCONSIN

Case II
No. 14449 ME-624
Decision No. 10437

Appearances:

Goldberg, Previant & Uelmen, Attorneys at Law, by Mr. John S. Williamson, Jr., for the Union.

Davis, Kuelthau, Vergeront & Stover, Attorneys at Law, by Mr. John G. Vergeront, for the Employer.

DIRECTION OF ELECTIONS

Local 1486, Affiliated with District Council 48, AFSCME, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission on February 19, 1971, to conduct an election pursuant to Section 111.70, Wisconsin Statutes, among certain employees of Joint Union High School District No. 1 (Nicolet High School), Milwaukee County, Wisconsin; and a hearing on such petition having been conducted at Milwaukee, Wisconsin, on March 30, 1971, before Robert B. Moberly, Examiner; and the Commission having considered the petition, the evidence and briefs of Counsel and being satisfied that questions have arisen concerning the appropriate unit and representation for certain employees of Joint Union High School District No. 1 (Nicolet High School);

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 among all regular full-time and regular part-time custodial and maintenance employees of the Municipal Employer, excluding supervisors, confidential employees and all other employees, who were employed by said Employer on September 1, 1971, except such employees as may prior to the elections quit their employment or be discharged for cause, for the purpose of determining: (1) whether a majority of the employees eligible to vote desire to constitute themselves a collective bargaining unit separate and apart from all other employees of the Municipal Employer; and

No. 10437

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

LOCAL NO. 150, SERVICE AND HOSPITAL
EMPLOYEES' INTERNATIONAL UNION,
AFL-CIO

Involving Certain Employees of

STOUGHTON HOSPITAL ASSOCIATION, INC.

Case I
No. 14740 E-2705
Decision No. 10436

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION


The Employer asks that the Commission reconsider its policy of not requiring a formal showing of interest in support of petitions for election where there is no existing bargaining representative, and dismiss the instant petition. In particular, the Employer notes that on the petition the Petitioner asserts that a majority of the employees in the pertinent bargaining unit have indicated an interest in being represented by the Petitioner, but the Commission does not require that said assertion be proven either by way of open hearing or administrative determination. Having carefully studied the Employer's argument in this regard however, the Commission remains satisfied that it need not deviate from its normal practice of not requiring a formal showing of interest in such cases.

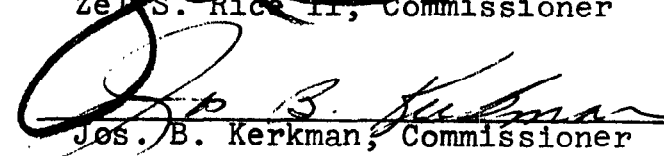
At the hearing the Employer indicated that it would supply a voting eligibility list to the Commission and the Petitioner only if it were directed to do so and pursuant to the specifications of such a direction. The Petitioner requested the Commission to direct that such list include the addresses of all employees named thereon. It is our policy that the Petitioner in such cases should be given a reasonable time prior to the conduct of the balloting to examine the eligibility list which is established on the basis of the eligibility date set by this directive in order to raise objections or challenges if any. ^{1/} However, we find no persuasive ground for requiring that such a list include the employees' addresses. Therefore, the Employer is requested to comply with the directives of the Commission's Election Supervisor regarding preparation and submission of the eligibility list prepared on the basis of the eligibility date set in this directive and to provide a copy of same to the Petitioner at least ten (10) days prior to the date of the election.

Dated at Madison, Wisconsin, this 12th day of August, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

1/ St. Vincent's Hospital, Dec. No. 10347, 6/71.