

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

CHIPPEWA COUNTY EMPLOYEES LOCAL 736,
WCCME, AFSCME, AFL-CIO

Involving Certain Employees of

CHIPPEWA COUNTY

Case XVII
No. 14654 ME-658
Decision No. 10497

In the Matter of the Petition of

GENERAL DRIVERS AND HELPERS UNION
LOCAL 662

Involving Certain Employees of

CHIPPEWA COUNTY

Case XVIII
No. 14689 ME-662
Decision No. 10498

In the Matter of the Petition of

GENERAL DRIVERS AND HELPERS UNION
LOCAL 662

Involving Certain Employees of

CHIPPEWA COUNTY

Case XIX
No. 14690 ME-663
Decision No. 10499

Appearances:

Mr. James R. Novacek, President, appearing on behalf of General Drivers and Helpers Union Local 662.

Mr. W. Thomas Devine, Attorney at Law, appearing on behalf of the Municipal Employer.

Mr. Guido Cecchini, Representative, appearing on behalf of Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO.

DIRECTION OF ELECTIONS

On May 14, 1971, Chippewa County Employees Local 736, WCCME, AFSCME, AFL-CIO filed a petition with the Wisconsin Employment Relations Commission requesting that an election be conducted among all employees in the employ of Chippewa County, employed in the Chippewa County Courthouse and clericals employed in the Chippewa County Institutions, excluding all elected officials, supervisory personnel and confidential employees; and on May 18, 1971, the Commission set hearing on said petition for June 28, 1971, at Chippewa Falls, Wisconsin; and that, however, prior to the scheduled hearing date, General Drivers and Helpers Union Local 662 filed two separate petitions with the Commission requesting that elections be conducted in two separate bargaining units of employees in Chippewa County namely "all courthouse employees, excluding elected officials and professional employees", and "all Welfare Department social workers employed by Chippewa County, excluding all other employees"; and thereafter the Commission issued notices of hearing on the latter two petitions setting hearing therein also for June 28, 1971; and on the latter date hearing by the Commission

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was conducted on all said three petitions at Chippewa Falls, Commissioner Zel S. Rice II being present; and the Commission having reviewed the evidence and arguments of the parties, and being fully advised in the premises, and being satisfied that questions have arisen concerning representation for certain employees of Chippewa County,

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 social workers employed by the Chippewa County Department of Welfare, but excluding supervisory and confidential personnel and all other employees, who were employed by the Municipal Employer on June 30, 1971, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employees desire to be represented by Chippewa County Employees Local 736, WCCME, AFSCME, AFL-CIO, or by General Drivers and Helpers Union Local 662, or by neither of said organizations, 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

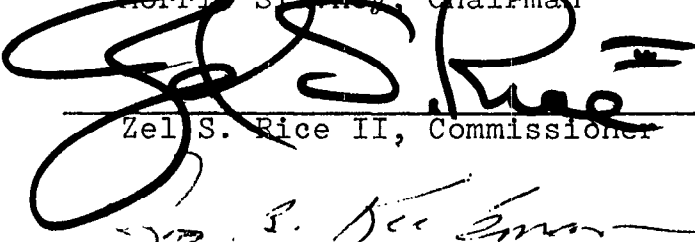
All employees in the Chippewa County Courthouse, including custodial employees, and all clericals at the Chippewa County Institutions, but excluding supervisors, confidential employees, and all other employees, who were employed by the Municipal Employer on June 30, 1971, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employees desire to be represented by Chippewa County Employees Local 736, WCCME, AFSCME, AFL-CIO, or by General Drivers and Helpers Union Local 662, or by neither of said organizations, for the purposes of conferences and negotiations with the above named Municipal Employer on questions of wages, hours and conditions of employment.

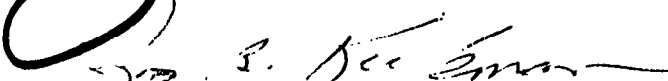
Given under our hands and seal at the City of Madison, Wisconsin, this 3rd day of September, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slattery, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

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MEMORANDUM ACCOMPANYING DIRECTION OF ELECTIONS

The proceedings involved herein were initiated by a petition filed by Chippewa County Employees Local 736, WCCME, AFSCME, AFL-CIO, hereinafter referred to as AFSCME, requesting an election among "all Welfare Department social workers employed by Chippewa County excluding all other employees", a unit consisting of professional employees. Subsequently General Drivers and Helpers Union Local 662, hereinafter referred to as Teamsters, filed two separate petitions requesting separate elections among "all courthouse employees, excluding elected officials and professional employees" and "all Welfare Department social workers employed by Chippewa County excluding all other employees." During the course of the hearing the parties agreed on the units appropriate for the conduct of the elections. The description of said units are set forth in the Direction.

The only issue involved in these proceedings was whether two positions employed in the Welfare Department were supervisory positions, namely the Social Work Supervisor and the Basic Services Supervisor.

The Department of Welfare is headed by a Director. The services performed by the Department of Welfare are performed by employees employed in two sections of the Department, separately headed by the above two positions.


The position of Social Work Supervisor is presently occupied by Lawrence Willkom, whose primary responsibility is the administrative direction and the professional development of the social service staff consisting of six employees who provide social services. Willkom assigns cases to staff members, reviews their work performance and evaluates such performance. Willkom participates in and may direct staff development and training. He has the authority to recommend any personnel action with regard to his staff. He spends approximately 85% of his time in supervising activities, the balance of his time is spent in handling a small caseload. We conclude that the duties of the Social Work Supervisor fall within the criteria established by the Commission in determining whether a position is a supervisory position.^{1/} Therefore Lawrence Willkom, as the Social Work Supervisor, is not eligible to participate in the election in Unit No. 1.

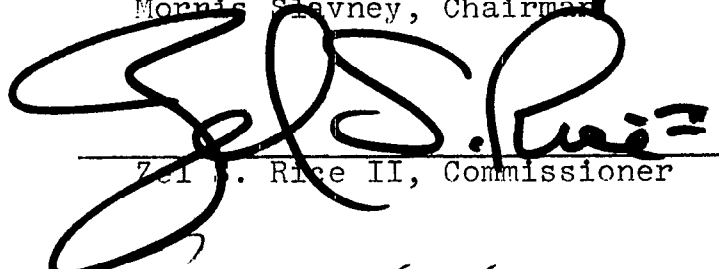
The Basic Services Supervisor is presently occupied by Lorraine Luther who supervises a staff providing basic services. Said staff consists of social workers. She reviews their work and evaluates their work performance as well as having the authority to recommend personnel action with regard to said employees. Approximately 65% of her time is spent in supervising employees. The remainder of her time is occupied in supervising various programs carried out by the agency and in evaluating said programs. Luther interviews applications for employment and can effectively recommend their hiring or non-hiring. Five employees work under her supervision. Since the majority of her time is spent in performing duties of a supervisory nature, she meets the criteria established by the Commission in determining whether an employee is a supervisor. She also therefore is not eligible to participate in the election in Unit No. 1.


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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel B. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

^{1/} City of Milwaukee, (6960), 12/64.