

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of
OFFICE AND PROFESSIONAL EMPLOYEES
INTERNATIONAL UNION LOCAL NO. 9, AFL-CIO
For a Referendum on the Question
of an All-Union Agreement between
MANITOWOC ENGINEERING CO., DIVISION OF
THE MANITOWOC COMPANY, INC.
Manitowoc, Wisconsin, Employer
and OFFICE AND PROFESSIONAL EMPLOYEES
INTERNATIONAL UNION LOCAL NO. 9, AFL-CIO,
Union

Case IX
No. 14818 R-5206
Decision No. 10528-A

AMENDED DIRECTION OF REFERENDUM

Office and Professional Employees International Union Local No. 9, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission to conduct a referendum, pursuant to Section 111.06 of the Wisconsin Statutes, among certain employes of Manitowoc Engineering Co., Division of The Manitowoc Company, Inc., Manitowoc, Wisconsin, for the purpose of determining whether the required number of such employes favor an "All-Union Agreement" between the Employer and Union named above; and prior to any further action by the Commission the parties having executed a Stipulation for Referendum; and the Commission having considered the evidence and being satisfied that a question has arisen concerning an "All-Union Agreement" for certain employes of the above Employer;

NOW THEREFORE, it is

DIRECTED

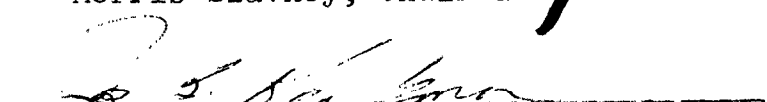
All plant clerical employes in the production order, timekeeper and stores material departments of the Employer at its Manitowoc, Wisconsin operations, excluding clerical employes in its production and control, planning and purchasing departments, and in the main office building, and technical, professional, confidential and all other employes, guards, executives and supervisors as defined in the Act, who were employed by the Employer on September 1, 1971, except such employes as may prior to the referendum quit their employment or be discharged for cause, for the purpose of determining whether the required number of such employes favor an "All-Union Agreement" between the Employer and the Union named above.

Given under our hands and seal at the
City of Madison, Wisconsin, this 11th
day of October, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Jos. B. Kerkman, Commissioner

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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OFFICE AND PROFESSIONAL EMPLOYEES	:	
INTERNATIONAL UNION LOCAL NO. 9, AFL-CIO	:	
	:	
For a Referendum on the Question	:	
of an All-Union Agreement between	:	Case IX
	:	No. 14818 R-5206
MANITOWOC ENGINEERING CO., DIVISION OF	:	Decision No. 10528-A
THE MANITOWOC COMPANY, INC.	:	
Manitowoc, Wisconsin, Employer	:	
	:	
and OFFICE AND PROFESSIONAL EMPLOYEES	:	
INTERNATIONAL UNION LOCAL NO. 9, AFL-CIO,	:	
Union	:	
	:	

MEMORANDUM ACCOMPANYING
AMENDED DIRECTION OF REFERENDUM

On September 16, 1971, the Commission issued its original Direction of Referendum herein, wherein it directed that a referendum be conducted among the employes in the bargaining unit to determine whether they desired to authorize an "All-Union Agreement" between the Employer and Office and Professional Employees International Union Local 77, AFL-CIO. Following the issuance of the Direction, the Commission was advised by the Union representative that the employes of Local 77 had voted by secret ballot to affiliate with Local 9 of the same labor organization. Thereafter, by letter, a request was made to reflect such change in the Direction, pending an opportunity for the Employer to satisfy himself that such affiliation with Local 9 was proper. On October 8, 1971, the Commission received a copy of the letter sent to the Union representative by the Employer, wherein the Employer indicated that it was satisfied with respect to the validity of the merger with Local 9, and that the Employer recognized Local 9 as the bargaining representative.

In attempting to make arrangements for the conduct of the balloting, the Employer indicated that it did not desire that employes be permitted to cast their ballots during their regular shift. Because of the position of the Employer, the Commission is establishing the hours of the balloting between the shifts, and therefore employes who work on the first shift will have the opportunity to vote following their shift, and employes working on the second shift will have the opportunity to vote prior to the commencement of their shift. Employes who are working beyond their normal shift hours during the balloting period are to be excused by the Employer in order to vote.

The Union originally requested of the Employer that the balloting be conducted by mail. Since the Employer has agreed to permit the balloting on its premises, we see no need for a mail ballot except we shall provide, pursuant to the request of the Union representative, mail ballots for those employes who are physically incapable of presenting themselves to vote because of medical reasons. These employes include Reuben Hartl, John Hessel, Ignatius Kaminski and Michael McGann.

Dated at Madison, Wisconsin, this 11th day of October, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Jos. B. Kerkman
Jos. B. Kerkman, Commissioner