

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

Case II  
No. 14646 SE-31  
Decision No. 10592

Lawton & Cates, Attorneys at Law, by Mr. Bruce F. Ehlke, appearing on behalf of Wisconsin State Employees Association, Council 24, AFSCME, AFL-CIO and its Appropriate Affiliated Locals.  
State of Wisconsin, Department of Administration, by Mr. Gene Vernon, Attorney, appearing on behalf of the State Employer.  
Mr. Robert J. Mueller, Attorney at Law, appearing on behalf of State Highway Engineers Association.

Petitions having been filed with the Wisconsin Employment Relations Commission by (1) Wisconsin State Employees Association, Council 24, AFSCME, AFL-CIO and its Appropriate Affiliated Locals requesting that an election be conducted, pursuant to Section 111.83 of the State Employment Labor Relations Act, among all employees of the Department of Transportation, excluding limited term, non-permanent seasonal, confidential, supervisory and managerial employees, and by (2) State Highway Engineers Association also requesting that an election be conducted, pursuant to Section 111.83 of the State Employment Labor Relations Act, among all employees in the Department of Transportation engaged in the profession of engineering, excluding confidential, supervisory, managerial and all other employees; and hearing on such petitions having been conducted by the Commission at Madison, Wisconsin, on May 19 and June 2, 1971; and the Commission, having considered the evidence, arguments and briefs of Counsel, being satisfied that the unit sought by the State Highway Engineers Association is an appropriate collective bargaining unit within the meaning of the State Employment Labor Relations Act, and that the unit sought by the Wisconsin State Employees Association, Council 24, AFSCME, AFL-CIO and its Appropriate Affiliated Locals should be modified to exclude all employees engaged in the profession of engineering, and being satisfied that such modified unit is an appropriate collective bargaining unit within the meaning of the State Employment Labor Relations Act; and further being satisfied that questions of representation have arisen concerning the employees in said appropriate collective bargaining units;

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NOW, THEREFORE, it is

DIRECTED

That separate elections by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Commission within ninety (90) days from the date of this Directive among the employees of the Department of Transportation in the following two separate appropriate collective bargaining units and for the purposes noted:

Modified Departmental Unit

All employees in the Department of Transportation, excluding all employees engaged in the profession of engineering, and all limited term, non-permanent seasonal, confidential, supervisory and managerial employees, who were employed by said State Employer on October 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 said employees desire to be represented, for the purposes of collective bargaining, by the Wisconsin State Employees Association, Council 24, AFSCME, AFL-CIO and its Appropriate Affiliated Locals.

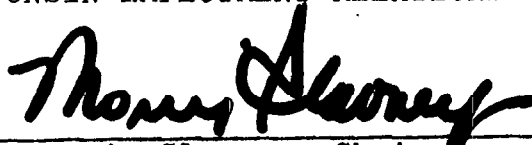
Engineering Employees

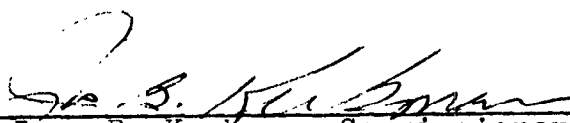
All employees engaged in the profession of engineering in the employ of the Department of Transportation, excluding all other employees, limited term employees, non-permanent seasonal employees, confidential employees, supervisors and managerial employees, who were employed by the State Employer on October 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 said employees desire to be represented, for the purposes of collective bargaining, by the State Highway Engineers Association, or by the Wisconsin State Employees Association, Council 24, AFSCME, AFL-CIO and its Appropriate Affiliated Locals, or by neither of said organizations.

Given under our hands and seal at the  
City of Madison, Wisconsin, this *1st*  
day of November, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Jos. B. Kerkman, Commissioner

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case I  
No. 13652 SE-25  
Decision No. 10591

Case II  
No. 14646 SE-31  
Decision No. 10592

On March 31, 1970, the Wisconsin State Employees Association, Council 24, AFSCME, AFL-CIO and its Appropriate Affiliated Locals, hereinafter referred to as WSEA, filed a petition with the Wisconsin Employment Relations Commission requesting that an election be conducted pursuant to Section 111.83 of the State Employment Labor Relations Act among employees in a unit consisting of all law enforcement officers in the Department of Transportation, including Trooper 1 and 2, Sergeants, Inspectors 1, 2 and 3, Investigator 2, Administrative Assistant 1 and 2, Dispatcher and Communications Supervisor, and excluding all other positions in the Department. Hearing on the petition was scheduled by the Commission for April 17, 1970, but said hearing was postponed at the request of the State Employer and the WSEA "until such time as the parties had an opportunity to meet and attempt to reach an agreement on the proposed unit." On June 18, 1970, the State Employer, in writing, advised the Commission that WSEA and the State could not agree on the unit and asked that hearing be scheduled. Thereupon the Commission set hearing for July 31, 1970. At the request of the parties the hearing was adjourned to August 14, 1970, and subsequently adjourned to October 6, 1970, then to October 16, 1970, and thereafter the Commission adjourned the hearing indefinitely at the joint request of the State Employer and the WSEA. On March 26, 1971, the State Highway Engineers Association, hereinafter referred to as SHEA, addressed a letter to the State Employer, a copy of which was received by the Commission on March 29, 1971, wherein SHEA requested the State Employer to voluntarily recognize SHEA as the collective bargaining representative of Civil Engineers 1 through 6 in the employ of the Department of Transportation. The State Employer on March 31, 1971, in reply to SHEA's request, denied the request and advised that SHEA could utilize the statutory procedures to seek such status. On April 27, 1971, the Commission received, from

the State Employer, a letter in which the Commission was advised that because of the intervention of SHEA, WSEA would amend their original petition and further that WSEA and the State Employer had been able to reach an agreement with respect to all, but four, classifications to be included and excluded from the unit sought to be appropriate by the WSEA. The positions in issue involved Civil Engineer 3, Engineering Technician 5, Motor Vehicle Inspector and State Patrol Sergeant, and in the same correspondence the State Employer requested that hearing be scheduled.

On April 28, 1971, the Commission issued a Notice of Resumption of Hearing, which was set for May 19, 1971. Prior thereto and on May 3, 1971, WSEA filed an amended petition wherein it claimed the appropriate bargaining unit consisted of all employees, department-wide, but excluding limited term employees, non-permanent seasonal employees, confidential employees, supervisors and managerial employees. On May 11, 1971, SHEA filed a petition with the Commission requesting an election among "all employees of the Department of Transportation engaged in the profession of engineering, excluding confidential, supervisory, managerial and all other employees." Hearing was held on May 19 and June 2, 1971, at the Commission's offices in Madison where appearances were made on behalf of the State Employer, WSEA and SHEA.

### The Issues

There are two basic issues which the Commission must determine herein, the first, involving a determination with respect to the unit or units appropriate for the purposes of collective bargaining pursuant to the State Employment Labor Relations Act, and the second, with respect to the determination of whether certain positions employed in the Department are supervisory and therefore to be excluded from the eligibles in the unit or units established by the Commission.

### The Unit Issue

Both the WSEA and the State Employer contend that the appropriate unit should be department-wide, with the exclusion of confidential, supervisory and managerial personnel. SHEA contends that the unit described in its petition constitutes an appropriate unit within the meaning of the pertinent provisions of SELRA.

Section 111.81(3) of SELRA provides, in part, as follows:

"Collective bargaining unit means the unit determined to be appropriate by the commission for the purposes of collective bargaining. Employees in a single craft or profession may constitute a separate and single collective bargaining unit. The commission may, and in order to effectuate the policies of this subchapter, determine the appropriate bargaining unit and whether the employees engaged in a single or several departments, divisions, institutions, crafts, professions, or occupational groupings, constitute an appropriate collective bargaining unit. The commission may make such a determination with or without providing the employees involved an opportunity to determine for themselves whether they desire to establish themselves as an appropriate collective bargaining unit. . ."

In its brief the State Employer contends, in part, as follows:

"The State has previously on several occasions indicated in some detail its strong opposition to fragmented bargaining units. It recognizes that the WERC has broad discretion and responsibility in determining on a case-by-case basis what will best promote the purposes of SELRA. The State again, however, urges that this discretion be exercised in such a manner as to avoid establishing units of individual professions unless there is a showing of the strongest possible kind that those professionals are so unique in their job function, as related to the bargainable subjects under SELRA, that this is the only bargaining structure possible. The State contends that such a showing has not been made in the case under consideration."

. . .

"In the Department of Transportation there are several classifications which meet the definition of professional as set forth in SELRA. In addition, there are several other classifications which are considered professional by the department, but do not technically meet the definition of a professional. These classifications require a college degree in practice, however, they do not require any specialized training in specific areas. It has consistently been the State's position that bargaining units should encompass all employees within a department who have similar community of interests with respect to the subjects of bargaining. In the Department of Transportation the professionals and so called semi-professional employees share a community of interest which is sufficient to justify the establishment of a simple bargaining unit. The commission has an obligation to promote efficiency in State government and avoid fragmentation whenever possible. This obligation outweighs the individual desires of a small groups of employees. . . ."

As we have previously determined, <sup>1/</sup> "Employees engaged in a recognized and identifiable profession, because of the nature of the specialized skills utilized in performing their duties, may constitute units separate and apart from all other employees, including the professional employees." We are satisfied that employees engaged in the profession of engineering are engaged in a recognized and identifiable profession, and, therefore, the Commission sees no compelling reason to deny a separate unit to those engaged in such profession in the Department of Transportation.

The State Employer contends that, in addition to the "Civil Engineer - Transportation" classifications, those employees occupying the classifications of "Engineering Technician 1 through 6 are all engaged in the profession of engineering, and, therefore, if the Commission should establish a professional engineering unit, all

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<sup>1/</sup> Department of Industry, Labor & Human Relations (8340) 1/68;  
Department of Natural Resources (9106) 7/69.

Engineering Technician positions, otherwise eligible, should be included in said professional unit. The Civil Engineer positions require a degree in civil engineering, while the Engineering Technician positions require no such degree. However, the Engineering Technician 4, 5 and 6 positions require an experience equivalent to the Civil Engineer 1, 2 and 3 positions, and such Engineering Technicians perform duties and responsibilities similar to the Civil Engineer 1, 2 and 3 positions. The Engineer Technician 1, 2 and 3 classifications do not require the experience of any Civil Engineer position, nor do they perform the duties or assume the responsibilities of the latter positions to the extent that they are entitled to be deemed professional employees. The fact that Engineering Technicians 1, 2 and 3 may be promoted to higher positions in the Engineering Technician series does not warrant their present inclusion in the unit of professional engineers. Such promotion and qualification is not automatic, but depends on the progress and ability of the particular employee involved to qualify for the Engineering Technician 4 position, as well as on other factors.

Since we have determined that the employees engaged in the profession of engineering constitute an appropriate unit, it follows that the "department wide" unit requested by WSEA must exclude the unit of engineers. Therefore, the unit sought by WSEA is modified, and, as a result, we have determined that there are two appropriate units in the Department as follows:

- (a) "All employees of the Department of Transportation, excluding employees engaged in the profession of engineering, limited term employees, non-permanent seasonal employees, confidential employees, supervisors and managerial employees",
- and
- (b) "All employees engaged in the profession of engineering in the employ of the Department of Transportation, excluding all other employees, limited term employees, non-permanent seasonal employees, confidential employees, supervisors and managerial employees."

The Issues with Respect to  
Certain Alleged Supervisory Positions

Motor Vehicle Inspector 3 and Patrol Sergeant Classifications

With respect to the qualified department-wide unit issues arose between the WSEA and the State Employer as to the supervisory status of Motor Vehicle Inspector 3 and the Patrol Sergeant classifications. The State Employer contends that the positions are supervisory, and, therefore, are not "state employees" within the meaning of Section 111.81(12) of SELRA. WSEA contends that the duties and responsibilities of those individuals occupying such classifications are not such to constitute said classifications as supervisors.

The statutory provisions relating to the issue with respect to supervisors are as follows:

"Section 111.81(12): 'State employee' includes any employee in the classified service of the state, as defined in s. 16.08, except employees who are performing in a supervisory capacity, and individuals having privity to confidential matters affecting the employer-employee relationship, as well as all employees of the commission."

"Section 111.81(15): 'Supervisor' means any individual having authority, in the interest of the state employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment."

In determining whether an individual is a supervisor, in addition to the above statutory criteria, the Commission will consider the following:

- "1. The number of employees supervised, and the number of other persons exercising greater, similar or lesser authority over the same employees.
2. The level of pay, including an evaluation of whether the supervisor is paid for his skill or for his supervision of employees.
3. Whether the supervisor is primarily supervising an activity or is primarily supervising employees.
4. Whether the supervisor is a working supervisor or whether he spends a substantial majority of his time supervising employees.
5. The amount of independent judgment and discretion exercised in the supervision of employees."

The Motor Vehicle Inspector 3 and the Patrol Sergeant spend approximately eighty-five percent of their time in direct supervision. The remaining fifteen percent is spent in administrative functions related to their supervisory activities. They do not perform any of the duties normally performed by employees under their supervision.

They are directly involved in the hiring process by investigating and preparing background reports. They evaluate new employees, prepare probationary reports and recommend whether new employees be given permanent status. They complete annual evaluations for employees under their supervision. They function as the first step in the departmental grievance procedure and handle all day-to-day problems which may arise. They can effectively recommend disciplinary action when necessary, and can also effectively recommend that an employee be given promotional consideration. They directly assign duties to employees under their supervision and have the ability to transfer employees within their patrol areas.

The following tabulation reflects the number of Motor Vehicle Inspector 3 positions, as well as the number of employees supervised, employed in the Bureau of Enforcement, Division of Motor Vehicles of the Department of Transportation: 2/

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2/ As reflected in the Department Organizational Charts.

	<u>Number of MVI 3 Positions</u>	<u>Number of Employees Supervised</u>
Public Carrier Inv. Unit	1	6
<u>Vehicle Inspection</u>		
District No. 1	1	16
District No. 2	1	22
	1	8
District No. 3	1	12
District No. 4	1	12
District No. 5	-	-
District No. 6	1	23

The pay ranges of the Motor Vehicle Inspectors are as follows:

	<u>Min.</u>	<u>PSICM</u>	<u>Max.</u>
	(Monthly Salaries)		
MVI 1	\$ 615	\$ 640	\$ 791
MVI 2	705	735	919
MVI 3	763	798	992

The MVI 3 in the Public Carrier Inv. Unit supervises one Stenographer 2 and five Investigator 2 positions, whose salaries range from \$461-481-590 in the case of the Stenographer 2, to \$705-735-919 in the case of the Investigator 2 position. In the Field Force Sections of the various Districts the MVI 3 positions supervise the following number of positions:

<u>District</u>	<u>Classification and Number of Positions Supervised</u>
No. 1	MVI 1 16
No. 2	MVI 1 22
	MVI 1 8
No. 3	MVI 1 12
No. 4	MVI 1 10
	State Patrol Trooper 2 2
No. 6	MVI 1 20
	State Patrol Trooper 2 3

The pay ranges of the position of State Patrol Trooper 2 ranges from \$657-687-848 per month. The Commission concludes that the level of pay of the MVI 3 position indicates sufficient differential in pay from that paid to employees supervised, to warrant, along with the other factors noted above, a finding that the position of Motor Vehicle Inspector 3 is a supervisory position, and, therefore, the occupants of such positions are not to be included in the unit involved.

State Patrol Sergeants are employed in the Field Force Sections of the various six districts. Each of the six Field Force Sections are headed by a State Patrol Captain, and the second in command is a State Patrol Lieutenant. Each Field Force Section in each District is divided into squads, headed by a State Patrol Sergeant. The following tabulation indicates the number of squads in each district, the total number of employees (except the State Patrol Sergeant) available for assignment to all the squads in the district, and the approximate number of positions assigned to each squad:



<u>District</u>	<u>Number of Squads</u>	<u>Total Number of Employees Assignable</u>	<u>Number of Employees in each Squad</u>
No. 1	8	93	10 to 12
No. 2	7	75	10 to 12
No. 3	5	46	8 to 10
No. 4	4	34	6 to 10
No. 5	3	29	9 to 10
No. 6	7	67	8 to 12

With respect to the State Patrol Sergeants employed in the Field Force Sections, the Commission is satisfied that they are supervisors and therefore excluded from the unit. Two State Patrol Sergeants are also employed in the Training and Technical Services Unit in the Service Section of the Bureau of Enforcement and three State Patrol Sergeants are employed in a sub-unit, identified as the Training Group, and we conclude that they also are excluded from the eligibles.

Civil Engineer 4 (Unit-Project Supervisors)  
and  
Engineering Technician 6 (Unit-Project Supervisors)

The State Employer and the two labor organizations have agreed that the classifications of Civil Engineer 1, 2 and 3, as well as Engineering Technician 4 and 5 are employees within the meaning of SELRA and therefore are included among the eligibles, as well as are twenty-two Civil Engineer 5 positions performing "staff functions." The parties also agreed that the Civil Engineer classifications 6 through 9 are supervisory and/or managerial positions and therefore are excluded from the eligibles, as well as the Civil Engineer 5 positions not performing staff functions. The State Employer and WSEA would exclude from the eligibles the positions of Civil Engineer 4 and Engineering Technician 6 employed as unit and project supervisors, while SHEA contends that such positions should be eligible.

Attached hereto and marked Appendix "A" is a tabulation reflecting, in the Design and Construction sections in the various Districts, (1) the number and classifications of positions upon which the parties agreed are supervisory, (2) the number and classifications of Project Supervisors, and (3) the number of "pool employees," which the parties agreed are eligible, <sup>3/</sup> assigned to the various projects. The tabulation on page 10 reflects a summary of the data reflected in Appendix "A".

The evidence disclosed that the Project Supervisors in both the Design and Construction sections will "supervise" from 2 to 15 pool employees, and that the Project Supervisors, as well as pool employees, are transferred between the Design and Construction sections to handle the heavy construction summer work load, for approximately seven months of the year, and the design work for approximately five months of the year. Generally, the Project Engineers, during the approximately five months, while in "Design" are performing staff functions.

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<sup>3/</sup> In some districts, includes limited term employees.

<u>District</u>	<u>Supervisors Over Project Engineers</u>	<u>Design Section</u>		<u>Construction Section</u>	
		<u>Number of Project Engineers</u>	<u>Pool Employees</u>	<u>Number of Project Engineers</u>	<u>Pool Employees</u>
<u>1</u> Design Const.	5 5	6(4)*	11	18(9)	63
<u>2</u> Design Const.	6 5	13(5)	38	18(8)	160
<u>3</u> Design Const.	4 5	1	8	12(2)	82
<u>4</u> Design Const.	6 4	15(3)	128	Same Individuals <sup>4/</sup>	
<u>5</u> Design Const.	4 4	16(4)	33	17(1)	43
<u>6</u> Design Const.	6 4	10(2)	20	15(3)	52
<u>7</u> Design Const.	5 3	13(8)	59	Same Individuals <sup>4/</sup>	
<u>8</u> Design Const.	3 2	4(1)	111	4(1)	**
<u>9</u> Design Const.	5 6	16(14)	14	46(16)	78

\* Figure in ( ) denotes number of Civil Engineer 4 positions.

\*\* Pool Employees in Design Section are assigned to Construction Section.

<sup>4/</sup> Term "Same Individuals" refers to the fact the same Project Engineers and the same Pool Employees are assigned to both the Design and Construction sections.

While assigned to Construction Sections the Project Engineers spend somewhat more than 50 percent of their time in supervisory duties, such as assigning work, granting leaves of one day, recommending transfers, rating employees, and possibly adjusting grievances, disciplining limited term employees, reporting and recommending discipline action affecting civil service employees to higher echelon of supervision. The remaining time of the Project Supervisors is spent in public relations with property owners and local officials in the vicinity of the various highway projects, seeing to it that the contractors and sub-contractors on the particular project are conforming to their construction contracts, <sup>5/</sup> maintaining of records, and at times performing physical tasks performed by pool employees when necessary. Generally the larger projects are assigned to the Civil Engineer 4 positions, who normally, at least at the initial stages of the project, has a larger number of employees assigned to him, depending upon the size of the project, than are assigned to Project Engineers in charge of small projects. The number of pool employees on a project lessens as the project progresses. The only apparent distinction between the supervisory duties of Civil Engineer 4 positions and the lower classifications of Project Engineers is that on most occasions, at least in the initial stages of the project, the Civil Engineer 4 supervises up to 15 employees. As can be seen from Appendix "A" and the above tabulation, there seems to be no rationality to the number of Civil Engineer 4 positions to either the lower classifications of Project Supervisors or to pool employees assigned to the various Construction Sections. For example, in District 9, there are 46 Project Supervisors, 16 being Civil Engineer 4 positions, supervising 78 employees, while in District 8, in the Construction Section, there are 4 Project Supervisors, one being a Civil Engineer 4, supervising 111 pool employees, or at least there is that number of pool employees assignable for such supervision. While Project Supervisors rate pool employees for merit increases, since pool employees are assigned to various Project Supervisors, both in the Construction and Design section, the rating by Project Supervisors having a lower classification of Civil Engineer 4 has a weight equal to the rating of the latter Project Supervisors.

There was no evidence adduced that the supervisory duties of Civil Engineer 4 Project Engineers were significantly greater, or if at all greater in some instances, to the supervisory duties performed by lower classified Project Engineers. Therefore and because the Project Engineers spend five months of the year performing staff functions, and because of the significant stipulation of the parties that Project Supervisors in classifications lower than the Civil Engineer 4 positions were eligible in the unit, we conclude that all Project Engineers, whether Civil Engineers or Engineering Technicians, are "working supervisors," and, therefore, we consider them to be "State employees" within the meaning of Section 111.81(12), and they are therefore to be included among the eligibles in the unit of the professional engineers.

There are certain individuals occupying the positions of Civil Engineer 4 and Engineering Technician 6 upon which the parties could not come to an agreement as to their eligibility and since there was no evidence taken with respect to the duties performed by the individuals involved, said individuals will be permitted to vote by

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<sup>5/</sup> A responsibility assigned also to pool employees.


challenged ballot, and the determination as to whether they should be included or excluded from the unit will be determined subsequent to the election. Attached hereto and marked Appendix "B" is a list of the positions which are included as eligible in the modified departmental unit. Appendix "C" reflects the eligibles in the unit of professional engineers. It should be noted that all Civil Engineer 4 positions are eligible except Robert Holdridge. In addition, eleven named individuals occupying such classification, who, if they present themselves to vote, will be permitted to vote by challenged ballot. Appendix "C" also reflects that individuals occupying the positions of Engineering Technician 6 are eligible to vote with the exception of Edward Hughes, W. G. Weidenbeck and G. Staupe. In addition, eleven named individuals occupying such classification, who, if they present themselves to vote, will be permitted to vote by challenged ballot. Appendix "D" reflects the positions excluded from both units because of their confidential, supervisory or management functions.

Dated at Madison, Wisconsin, this *1st* day of November, 1971

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Jos. B. Kerkman, Commissioner

APPENDIX "A"

<u>District and Section</u>	<u>Number of Positions Agreed Supervisory Above Project Engineers</u>	<u>Number of Project Supervisors</u>	<u>Assignable Pool Employees</u>
<u>1</u> Design Construction	1-CE7, 4-CE5 1-CE7, 4-CE5	4-CE4, 2-CE3 9-CE4, 7-CE3, 1-ET6, 1-ET5	11 63
<u>2</u> Design Construction	1-CE7, 5-CE5 1-CE7, 4-CE5	5-CE4, 8-CE3 8-CE4, 6-CE3, 4-ET5	38 (11 Limited Term) 160 (81 Limited Term)
<u>3</u> Design Construction	1-CE7, 3-CE5 1-CE7, 4-CE5	1-CE3 2-CE4, 8-CE3, 2-ET5	8 82 (21 Limited Term)
<u>4</u> Design Construction	1-CE7, 3-CE5, 1-ET6, 1-Draftsman 4 ) 1-CE7, 3-CE5	3-CE4, 9-CE3, 3-ET5 )	128 (64 Limited Term)
<u>5</u> Design Construction	1-CE7, 3-CE5 1-CE7, 3-CE5	4-CE4, 10-CE3, 1-ET6, 1-ET5 1-CE4, 15-CE3, 1-ET5	33 43
<u>6</u> Design Construction	1-CE7, 5-CE5 1-CE7, 3-CE5	2-CE4, 6-CE3, 1-ET6, 1-ET5 3-CE4, 8-CE3, 1-ET6, 3-ET5	20 (5 Limited Term) 52 (22 Limited Term)
<u>7</u> Design Construction	1-CE7, 4-CE5 ) 1-CE7, 1-CE5, 1-CE4 )	8-CE3, 2-ET6, 3-ET5 )	59 (30 Limited Term)
<u>8</u> Design Construction	1-CE7, 1-CE5, 1-ET4 1-CE7, 1-CE5	1-CE4, 2-CE3, 1-ET5 ) 1-CE4, 1-ET6, 2-ET5 )	111 (25 Limited Term)
<u>9</u> Design Construction	2-CE7, 3-CE5 1-CE7, 5-CE5	14-CE4, 2-CE3 16-CE4, 21-CE3, 1-ET6, 8-ET5	14 78 (16 Limited Term)

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APPENDIX "B"

Positions Eligible in "Modified Departmental Unit"

ACCOUNT EXAMINER 1, 2, 3	DRIVERS LICENSE EXAMINER 2 (Except Jack D. Kubeny, Gerald Brown, Richard Steffek, R. Wisniewski, William Moore, B. Beaulieu, Arnold George, D. Lambrecht, Eugene Fence, Thomas Young, Thomas Hegna, Marvie Doubek, Wayne Close, R. Redding, K. Brockmiller, David Beyer, Paul Nyhof, and J. Suennen)
ACCOUNT SPECIALIST 1, 2, 3, 4	
ACCOUNTANT 1, 2, 3	
ACCOUNTANT ASSISTANT	
ADMINISTRATIVE ASSISTANT 1 (Except Irene Cole, Barbara Wehrle, Colletta Aeschbach, and Ralph Gums)	
ADMINISTRATIVE ASSISTANT 2 (Except John Sailing, James Peterson, Evelyn Alsheimer, Bernice Cutler, Ralph Conklin, Jean Wiley, Ronald Wiessinger, and Robert Weaver)	DRIVERS LICENSE EXAM. AID
ADMINISTRATIVE SECRETARY 1 (Only Mary Dupont, Eunice Gilbertson, Vivian Reynolds, and Mary Tomkins)	ELECTRICIAN
AUDIT SPECIALIST 1, 2, 3, 4, 5	ENFORCEMENT CADET
AUDITOR 1, 2, 3	ENGINEERING AID 1, 2
BUILDING MAINTENANCE HELPER 1, 2, 3	ENGINEERING TECHNICIAN 1, 2, 3
CALCULATING MACHINE OPERATOR	GRAPHIC ARTIST 1, 2, 3
CASHIER 1, 2, 3	GRAPHIC REPRODUCTION AID
CHEMICAL TEST TECHNICIAN	GRAPHIC REPRODUCTION TECH. 1, 2, 3, 4
CHEMIST 1, 2, 3	INVESTIGATOR 1, 2
CLERK 1, 2, 3, 4	KEYPUNCH OPERATOR 1, 2, 3
CLERK COORDINATOR	LABORER 1, 2, 3
COMMUNICATIONS TECHNICIAN	LANDSCAPE ARCHITECT 1, 2, 3
COMPUTER OPERATOR 1, 2, 3	MAINTENANCE MAN
DATA PROCESSING MACHINE OPERATOR 1, 2, 3	MAINTENANCE MECHANIC 1, 2
DATA PROCESSING RECORDS LIBRARIAN	MANAGEMENT INFO. SPEC. 1, 2
DRAFTING AID	MANAGEMENT INFO. TECH. 1, 2, 3
DRAFTSMAN 1, 2, 3	MOTOR VEHICLE INSPECTOR 1, 2
DRIVERS LICENSE EXAMINER 1	MOTOR VEHICLE OPERATOR 1, 2, 3
	OFFSET PRESS OPERATOR 1, 2, 3
	PAYROLL & BENEFIT SPECIALIST 1, 2, 3
	PAYROLL CLERK 1, 2
	PLANNING ANALYST 1, 2, 3

APPENDIX "B" (Continued)

POLICE COMMUNICATIONS OPER. 1, 2, 3

PRESS RELATIONS OFFICER

PUBLICATIONS EDITOR 1, 2

PURCHASING AGENT 1

PURCHASING ASSISTANT

RESEARCH ANALYST 1, 2, 3, 4

RESEARCH ASSISTANT

RIGHT-OF-WAY AGENT 1, 2, 3

RIGHT-OF-WAY AGENT 4

(Except J. W. Curtis, E. J.  
Sell, N. D. Oberbeck, V. C.  
Hammer, R. J. Timbers,  
R. W. Mueller, D. V. Houser,  
R. E. Kadrmas, R. K. Ayer,  
A. P. Anello, and R. J.  
Hagbert)

RIGHT-OF-WAY AID

RIGHT-OF-WAY TECHNICIAN 1, 2

SHIPPING & MAILING CLERK 1, 2, 3

STATE PATROL CHEMIST

STATE PATROL TROOPER 1, 2

STATISTICAL CLERK

STENOGRAPHER 1, 2, 3

STOCK CLERK 1, 2

STOREKEEPER 1, 2

TYPIST 1, 2, 3

TYPOGRAPHIC COMPOSER 1, 2

APPENDIX "C"

Positions Eligible in "Engineers" Unit

CIVIL ENGINEER 1, 2, 3

CIVIL ENGINEER 4 - except Robert Holdridge - In addition the following will vote by challenged ballot:

N. F. Wendt	B. Paster	W. Desens
J. H. Elliot	J. Biles	F. Pabst
L. Updick	T. Sonnenberg	L. W. Ehlenbeck
G. F. Busch	E. Ulbricht	

CIVIL ENGINEER 5 - Performing Staff Functions:

L. J. Graham	- Bridge Section
L. J. Schuchart	- Bridge Section
G. E. Zimmerman	- Bridge Section
D. E. May	- Traffic Section
W. H. Lautz	- Traffic Section
R. L. Musin	- Materials Section
M. L. Luher	- Design Section
R. L. Cook	- Design Section
J. L. Anderson	- Design Section
D. W. Brush	- Design Section
J. D. Whalen	- Design Section
H. H. Brunmeier	- Design Section
W. A. Slagg	- Design Section
J. R. Cleasby	- Design Section
J. R. Vesperman	- Design Section
T. H. Rodes	- Design Section
E. J. Hyland	- Design Section
R. H. Holmes	- Construction Section
E. R. Renner	- Construction Section
R. L. Bowers	- Construction Section
H. E. Jensen	- Construction Section
R. J. Zamzow	- Construction Section

ENGINEERING TECHNICIAN 4, 5

ENGINEERING TECHNICIAN 6 - except Edward Hughes, W. G. Weidenbeck and G. Staube - In addition the following will vote by challenged ballot:

L. F. Derleth	F. Emery	R. Johnson
D. F. Courtney	S. Thomas	M. Varekois
G. A. Huguet	S. Friske	B. Kaul
P. Carroll	J. McIntyre	



APPENDIX "D"

Positions Not Eligible in Either Unit

ACCOUNTANT 4, 5	DIRECTOR MOTOR VEHICLE REGISTRATION
ADMINISTRATIVE ASSISTANT 3, 4, 5	DIRECTOR, TRAFFIC INSP. & ENF.
ADM. BUDGET & MGMT. ANAL. 1, 2, 3, 4, 5	DRAFTSMAN 4
ADMINISTRATIVE OFFICER 1, 2, 3, 4, 5	DRIVERS LICENSE EXAMINER 3, 4
ADMINISTRATIVE SECRETARY 1 (Except Mary Dupont, Eunice Gilbertson, Vivian Rhynolds, Mary Tomkins)	ELECTRICAL ENGINEER 7
ADMINISTRATIVE SECRETARY 2, 3, 4	EMERGENCY GOVERNMENT SPECIALIST 1,
ADMINISTRATOR TRANSPORTATION PLANNING	EMPLOYMENT RELATIONS SPECIALIST 2
AIRCRAFT PILOT	ENGINEER TECHNICIAN 6 (Edward Hughes, W. G. Wiedenbeck and G. Staupé only)
ASST. CHIEF POLICE COMMUNICATIONS	FISCAL ADMINISTRATIVE OFFICER 1, 2
ATTORNEY 11, 12, 13	FISCAL SUPERVISOR 1, 2, 3, 4
AUDIT SPECIALIST SUPERVISOR 1, 2, 3	KEYPUNCH SUPERVISOR 1, 2
AUDITOR SUPERVISOR 1, 2, 3, 4, 5	MANAGEMENT INFORMATION SPEC. 3, 4, 5, 6
AUDITOR 4, 5, 6, 7	MGMT. INFO. SUPER. 1, 2, 3, 4, 5, 6, 7
AVIATION CONSULTANT	MANAGEMENT INFORMATION TECHNICIAN 4
BROADCAST ENGINEERING TECHNICIAN 1	MOTOR VEHICLE INSPECTOR 3
CHEMICAL TEST SUPERVISOR	PATROL SERGEANT
CHIEF, DRIVERS LICENSE EXAMINERS	PAYROLL & BENEFITS SUPERVISOR 1, 2, 3, 4
CHIEF, HIGHWAY INFORMATION	PERSONNEL ADMINISTRATIVE OFFICER 1, 2, 3
CHIEF, POLICE COMMUNICATIONS	PERSONNEL MANAGER 1, 2, 3
CIVIL ENGINEER 4 (Robert Holdridge only)	PERSONNEL TECHNICIAN
CIVIL ENGINEER 5, 6, 7, 8, 9 (Except Civil Engineer 5's performing staff functions)	PLANNING ANALYST 4, 5, 6, 7, 8
DATA PROC. OPERATIONS SUPERVISOR 1, 2, 3, 4, 5	PUBLIC INFORMATION OFFICER 2, 3, 4
DATA PROC. OPERATIONS TECHNICIAN 4	PUBLICATIONS SUPERVISOR
DIRECTOR DRIVER CONTROL	PURCHASING AGENT 2

APPENDIX "D" (Continued)

RIGHT-OF-WAY AGENT 4

(Only J. W. Curtis, E. J. Sell, N. D. Oberbeck, V. C. Hammer, R. J. Timbers, R. W. Mueller, D. V. Houser, R. E. Kadrmas, R. K. Ayer, A. P. Anello, and R. J. Hagbert)

RIGHT-OF-WAY AGENT 5, 6

SHIPPING & MAILING SUPERVISOR 1, 2

STATE HIGHWAY ENGINEER

STATE PATROL CAPT., LT., MAJOR

STORE SUPERVISOR 1, 2, 3

TRAINING OFFICER 2