

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of :  
LAC DU FLAMBEAU FEDERATION OF :  
TEACHERS, LOCAL NO. 2215, WFT, :  
AFL-CIO, : Case I  
Involving Certain Employes of : No. 15020 ME-715  
JOINT SCHOOL DISTRICT NO. 1, TOWN : Decision No. 10649  
OF LAC DU FLAMBEAU :  
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Appearances:

Mr. William Kalin, Director of Organization, Wisconsin Federation of Teachers, for the Petitioner.  
Mr. Alden Bauman, Administrator, for the School District.  
Mr. John Justice, President, and, Mr. Vilas Warbalow, Past-President, on behalf of the Intervenor, Lac Du Flambeau Teachers Association (Unaffiliated).

DIRECTION OF ELECTION

Lac Du Flambeau Federation of Teachers, Local No. 2215, WFT, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission to conduct an election pursuant to Section 111.70 of the Wisconsin Statutes, among teachers in the employ of Joint School District No. 1, Town of Lac Du Flambeau; and hearing on said petition having been conducted at the Town Hall, Lac Du Flambeau, on November 11, 1971, by Hearing Officer Robert M. McCormick; and during the course of hearing Lac Du Flambeau Teachers Association, having moved to intervene in the proceeding, claiming to represent teaching personnel in the proposed bargaining unit; and such motion having been granted during the course of the hearing; and the Commission having considered the evidence and being satisfied that a question has arisen concerning representation for teachers in the employ of Joint School District No. 1, Town of Lac Du Flambeau;

NOW, THEREFORE, it is

DIRECTED

That an election 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 collective bargaining unit consisting of all certified classroom teachers, other certified special teachers and certified teachers acting as tutors, but excluding District Administrator, supervisors, teacher aides, substitute teachers, Home School Coordinator, parent-educators, clerical and custodial personnel, who were employed by Joint School District No. 1, Town of Lac Du Flambeau, on November 11, 1971, except such employes as may prior to the election quit their employment or be dis-

charged for cause, for the purpose of determining whether a majority of such employes desire to be represented by Lac Du Flambeau Federation of Teachers, Local No. 2215, Wisconsin Federation of Teachers, AFL-CIO; or by Lac Du Flambeau Teachers Association; or by neither organizations, for the purposes of collective bargaining with Joint School District No. 1, Town of Lac Du Flambeau, on questions of wages, hours and conditions of employment.

Given under our hands and seal at the City of Madison, Wisconsin, this 24th day of November, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slayney, Chairman

  
Zel S. Rice II, Commissioner

STATE OF WISCONSIN

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In the Matter of the Petition of

LAC DU FLAMBEAU FEDERATION OF  
TEACHERS, LOCAL NO. 2215, WFT,  
AFL-CIO

Involving Certain Employes of

JOINT SCHOOL DISTRICT NO. 1, TOWN  
OF LAC DU FLAMBEAU  
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Case I  
No. 15-20 ME-715  
Decision No. 10649

MEMORANDUM ACCOMPANYING  
DIRECTION OF ELECTION

At the outset of the hearing on the petition, the Wisconsin Education Association, by its Consultant, Charles Garnier, moved to intervene in the proceeding and requested that its prospective affiliate, Lac Du Flambeau Education Association, be permitted a place on the ballot. However, the WEA and its prospective affiliate could not advance a claim that it currently represented any employees in the claimed unit. The WEA later withdrew its motion to intervene. The Commission will not permit the intervention of said organization for purposes of the election, in view of the insufficient reason initially advanced by the WEA - La Du Flambeau Education Association for intervening in the matter. 1/

After a short adjournment of hearing, Lac Du Flambeau Teachers Association, hereinafter referred to as the LTA, an unaffiliated local organization was permitted to intervene on the basis of its claim to represent teaching personnel in the employ of the School District and also because one of its avowed purposes is to represent teachers in dealing with the School District for the improvement of wages, hours and conditions of employment. Though the LTA (unaffiliated) had previously engaged in collective conferences with the School District to develop a salary schedule for 1970-71, there is no evidence that it administered a collective bargaining agreement, and neither LTA nor the School District asserted that the salary agreement was a contract which bars a present election. Therefore, the Commission has directed an election which shall permit teachers to determine whether they desire to be represented by Lac Du Flambeau Federation of Teachers, Local No. 2215, or by Lac Du Flambeau Teachers Association, or by neither or said organizations.

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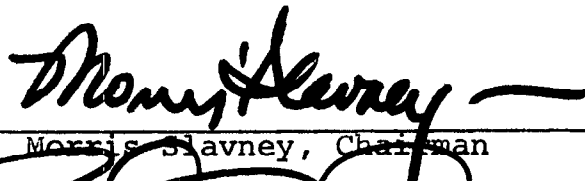
1/ City of Green Bay (City Hall), Decision No. 8390, 2/68.

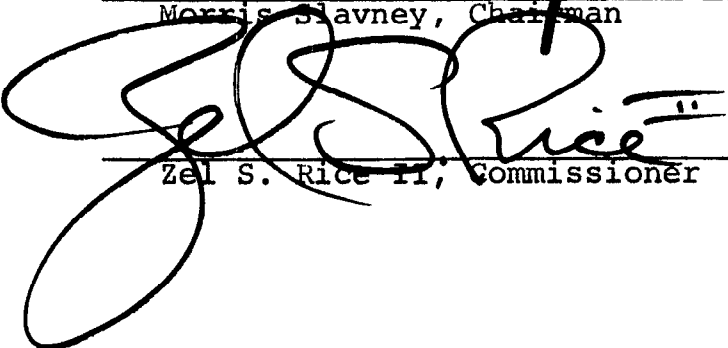
During the hearing an issue arose as to the eligibility of one Robert Eckert to participate in the election, the Petitioner contending that he was a supervisor. Managerial personnel of the School District were not present during the entire course of the hearing and therefore evidence with regard to said issue was not sufficient for the Commission to determine Eckert's eligibility. The Commission will permit Eckert to vote, if he so presents himself, subject to the challenge by the parties. In the event said challenged ballot affects the results of the election the eligibility issue will be resolved after a post-election hearing.

Dated at Madison, Wisconsin, this 24<sup>th</sup> day of November, 1971.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner