

STATE OF WISCONSIN
WISCONSIN EMPLOYMENT RELATIONS COMMISSION

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION
Petition of

In the Matter of COUNTY AND
AFSCME, AFL-CIO
WISCONSIN Council of Bargaining
Municipal Employees of
For De- MEMORIAL HOSPITAL
Repr - - - - -

Case II
No. 15042 E-2722
Decision No. 10661-D

er C. Paavola, Administrator, appearing for the Employer.
hard C. Erickson, District Representative, WCCME, AFSCME,
FL-CIO, appearing for the Union.

ORDER CLARIFYING BARGAINING UNIT

Spooner Community Memorial Hospital and Nursing Home having, on February 11, 1974, filed a petition with the Wisconsin Employment Relations Commission, wherein it requested the Commission to issue a clarification of a collective bargaining unit wherein the Commission had previously certified the Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, as the exclusive representative; 1/ and, pursuant to notice, a hearing having been held in the matter at Spooner, Wisconsin, on March 7, 1974, Marvin L. Schurke, Hearing Officer, being present; and the Commission having considered the evidence and arguments and being fully advised in the premises, makes and files the following

ORDER

That the position of Business Office Manager shall be, and the same hereby is, excluded from the collective bargaining unit consisting of all regular full-time and regular part-time non-professional employees of Spooner Community Memorial Hospital and Nursing Home, Spooner, Wisconsin, excluding supervisors and confidential employees.

Given under our hands and seal at the
City of Madison, Wisconsin, this 12th
day of July, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slavney
Morris Slavney, Chairman

Zel S. Rice II
Zel S. Rice II, Commissioner

Howard S. Bellman
Howard S. Bellman, Commissioner

1/ Decision No. 10661-A, February 11, 1972.

No. 10661-D

MEMORANDUM ACCOMPANYING
ORDER CLARIFYING BARGAINING UNIT

On February 11, 1972, following an election conducted by it, the Commission certified the Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, as the exclusive collective bargaining representative in the bargaining unit set forth in the accompanying Order. During the hearing which preceded the conduct of that election, the parties stipulated to the exclusion of the Accountant in the Employer's Business Office from the unit as a supervisory and confidential employee. Such exclusion continued in subsequent bargaining between the parties, and the position is not covered by the November 1, 1973-October 31, 1974 collective bargaining agreement between the parties. The position in question became vacant during November, 1973, and was filled by the promotion of a unit employee during January, 1974. The parties were unable to agree on whether the position should now be included in or excluded from the bargaining unit, and the Employer filed a petition with the Commission on February 11, 1974 seeking a ruling in that regard. On February 14, 1974, the Commission ordered the matter reopened and ordered hearing for the purpose of making a determination on the status of the position, which now carries the title "Business Office Manager."

The present occupant of the position, Rose Marie Schumaker, began to assume some of the functions of the Business Office Manager during the hiatus between the departure of the previous employee and her formal appointment to the position. As of the date of the hearing in this matter, she was still engaged in a transition from her former position as Posting Clerk to her new position. However, the organizational structure of the Employer and the duties of her position are well established.

The Employer has divided its organization into three "service" divisions: Professional Services, headed by the Director of Nursing; Ancillary Services, headed by a Division Manager; and Business and Financial Services, headed by the position in question. The evidence indicates that Division Managers have little involvement in the work of other Divisions, and that each of the Division Managers serves as the link between the Hospital Administrator and the service area.

The Business Office Manager is responsible for the telephone communications, admissions, insurance, medicare/medicaid, book-keeping and general office services. Eight unit employees report to the Business Office Manager. These employees, some of whom are part-time employees, are scheduled on various shifts beginning as early as 6:00 a.m. and ending as late as 11:00 p.m. Changes of the work schedule and adjustments due to absences involving said employees are made by the Business Office Manager. While the work assignments are relatively well established and routine, the Business Office Manager has authority to change assignments to meet current needs. Schumaker ordinarily does not become involved in the performance of day-to-day work in the insurance, admissions and switchboard & does spend one to one and one-half hours a day on book-keeping of the type she performed in her former position in the unit. The Business Office Manager has historically hired among candidates screened by the Personnel Department, is expected to have similar input on hiring when the position is recomme. She is also responsible for the evaluation of the employees working in the Business Office and for the discipline. In addition she has authority to hire and discharge of employees within her Division.

The Business Office Manager is paid on a monthly salary, whereas other employees in the Division are paid on an hourly basis. She is privy to confidential information concerning the financial condition of the Employer and its business relationships. Although it is not expected that she would be involved in the formulation of bargaining policy, which is reserved to the Hospital Administrator and the Board of Directors, it is anticipated that the Business Office Manager would supply data to management for collective bargaining purposes.

The Commission concludes that the continued exclusion of the Business Office Manager from the bargaining unit as a supervisory employee is appropriate, and we have so ordered.

Dated at Madison, Wisconsin, this 12th day of July, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Zel S. Rice II
Zel S. Rice II, Commissioner

Howard S. Bellman
Howard S. Bellman, Commissioner