

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of :
WISCONSIN COUNCIL OF COUNTY AND :
MUNICIPAL EMPLOYEES, AFSCME, AFL-CIO : Case I
Involving Certain Employees of : No. 15098 ME-723
CITY OF SPARTA (POLICE DEPARTMENT) : Decision No. 10709
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Appearances:

Mr. Walter Klopp, District Representative, appearing on behalf
of the Petitioner.
Mr. Steven Luse Abbott, City Attorney, City of Sparta, appearing
on behalf of the Municipal Employer.

DIRECTION OF ELECTION

Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission to conduct an election, pursuant to Section 111.70 of the Wisconsin Statutes, among certain employees of the City of Sparta (Police Department); and a hearing on such petition having been conducted on December 20, 1971, at Sparta, Wisconsin, by Marvin L. Schurke, Hearing Officer; and the Commission having considered the evidence and being satisfied that a question has arisen concerning representation for certain employees of the City of Sparta;

NOW, THEREFORE, it is

DIRECTED

That an election by secret ballot 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 regular full time and regular part time police department personnel of the City of Sparta, excluding the Chief of Police, and all other City of Sparta employees, supervisors and confidential employees, who were employed by the Municipal Employer on December 20, 1971, except such employees as may prior to the election

quit their employment or be discharged for cause, for the purpose of determining whether or not a majority of such employes desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, for the purposes of collective bargaining with the City of Sparta, on questions of wages, hours and conditions of employment.

Given under our hands and seal at the City of Madison, Wisconsin, this 7th day of January, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Jos. B. Kerkman, Commissioner

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During the course of the hearing a question arose as to whether two individuals, who are employed by the Fire Department as Radio Operators and Fire Engineers, who also operate the police department radio, should be included in a bargaining unit of police personnel. The individuals in question are the only two full time employees of the Fire Department. They wear Fire Department uniforms and report to the Fire Chief rather than to the Police Chief. The two individuals in question are assigned, along with two police officers, to cover a joint fire department-police department radio operation on an around-the-clock basis. While police officers are engaged in such a capacity they also operate as fire department radio operators and dispatchers. Both of the parties in these proceedings urge that it would be inappropriate to include the fire department employees in a bargaining unit of police personnel, and the Commission agrees with their position since it is apparent that the two groups of employees have separate supervision and potentially separate community of interest. The unit set forth in the Direction was stipulated by the parties as being appropriate.

Dated at Madison, Wisconsin, this 7th day of January, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thom Slavney
Morris Slavney, Chairman

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