

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

UNIVERSITY OF WISCONSIN-MADISON

No. 10727-E through  
10731-E

XXXV

All maintenance mechanics (mechanics, mechanics, welders, instrument makers, maintenance men, etc.) in the classified service of the University of Wisconsin (excluding University of Wisconsin-Milwaukee) excluding building trades craft employees, and all other employees of the employer

XXXVI

All employees in the classified service of the University of Wisconsin (excluding University of Wisconsin-Milwaukee) physical plant divisions, excluding office clerical, professional, confidential, limited term employees, management employees, supervisory employees and Building Trades Craft employees

The administrative redetermination of the showing of interest indicated that the showing of interest was insufficient in Cases XXXIV and XXXV so as to warrant any further consideration of the petitions filed therein, and, therefore, the Commission is satisfied that the petitions filed in those cases should be dismissed.

The redetermination of the showing of interest with respect to Cases XXXII, XXXIII and XXXVI indicates that the showing of interest in support of the petitions filed in those cases were sufficient to warrant further consideration of those petitions; however, the Commission is satisfied that the units claimed to be appropriate in said petitions are not appropriate units within the meaning of Section 111.81(3) of the State Employment Labor Relations Act, and that, therefore, said petitions should be dismissed;

NOW, THEREFORE, it is

ORDERED

That the petitions filed by the Petitioner in Cases XXXII through XXXVI be, and the same hereby are, dismissed.

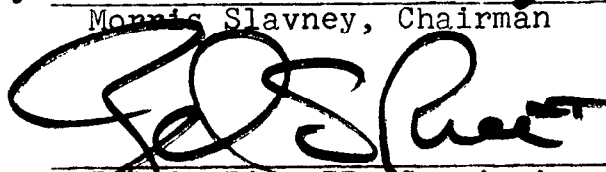
Given under our hands and seal at the City of Madison, Wisconsin, this 17th day of April, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

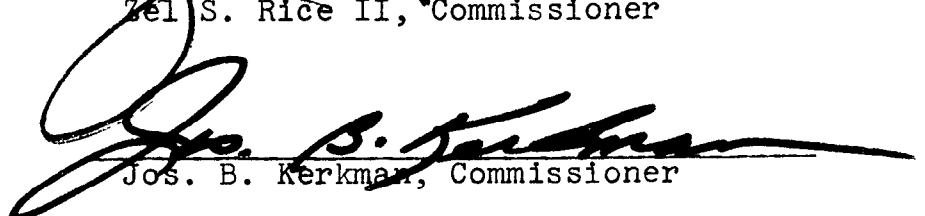
By



Morris Slavney, Chairman



Zel S. Rice II, Commissioner



Jos. B. Kerkman, Commissioner

MEMORANDUM ACCOMPANYING  
ORDER DISMISSING PETITIONS

Pursuant to an Order issued by it on April 12, 1972, the Commission made a redetermination of the sufficiency of the showing of interest submitted by the Petitioner in support of the petitions filed in the cases involving the units described in the Commission's Order. The redetermination of the showing of interest was made by comparing the authorization cards, submitted by the Petitioner to the Commission, with the payroll list furnished the Commission by the State Employer. The showing of interest for Cases XXXIV (laborers, et al) and XXXV (maintenance mechanics, et al) were insufficient to support the individual petitions filed in said cases, and, therefore, the Commission has dismissed the petitions filed therein. 1/

While the showing of interests in Cases XXXII (building maintenance employes, et al), XXXIII (motor vehicle operators) and XXXVI (physical plant divisions) were sufficient to warrant further consideration of said petitions, the Commission is satisfied that on the face of said petitions, when viewed in light of the classifications involved and the number of divisions of the State Employer in which the various classifications are employed, said units are inappropriate within the meaning of the State Employment Labor Relations Act, for the purposes of collective bargaining, and we are satisfied that no hearing is necessary for the Commission to reach said conclusion.

The University of Wisconsin operates various campuses throughout the State. However, the petitioning Union would exclude employes of the University of Wisconsin at Milwaukee, as well as certain other sites. However, even assuming that the Commission would hold that it would be possible to have separate units of University of Wisconsin employes excluding the other campuses, we still would find that the units desired are inappropriate for the following reasons:

Case XXXII

The Petitioner seeks a unit of "all building maintenance employes" which include the classification of Building Maintenance Helper I, II and III and Window Washer. The list furnished by the State Employer indicates that Building Maintenance Helper I's are employed in five divisions of the Madison campus, that Building Maintenance Helper II positions are employed in six divisions of the Madison campus and affiliated centers, all hereinafter referred to as UW-Madison, and that Building Maintenance Helper III's are employed in five divisions of UW-Madison. Window Washers are employed in three divisions of UW-Madison. It is obvious to the Commission that Building Maintenance employes are not employed in any one department or division of UW-Madison. Further, they are not craft employes but obviously perform duties performed by employes generally described as "blue collar" employes. The unit desired by the Petitioner is too limited in its inclusions, both as to classifications and to the fact that it is an attempt to establish a unit on a "divisional" basis so as to constitute an appropriate unit.

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1/ Less than 30 percent of the employes employed in said claimed appropriate units authorized the Petitioner to represent them for the purpose of collective bargaining. (See University of Wisconsin-Milwaukee [9910]).

Case XXXIII

The Petitioner seeks a unit of all "motor vehicle operator employees" which consists of "Motor Vehicle Dispatcher, Motor Vehicle Operator I, II and III and Farm Equipment Operators." As in the previous discussed case, the classifications involved are employed in more than one division of the UW-Madison and are obviously separately supervised according to divisions. Furthermore, the Commission is satisfied that the employees involved are not craft employees, and, therefore, that said unit is also inappropriate for the reasons cited with reference to Case XXXII.

Case XXXVI

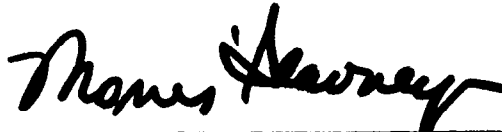
The Petitioner seeks a unit of employees in the Physical Plant Divisions of the UW-Madison and in that regard would also include the classifications involved in Cases XXXII and XXXIII. The majority of the classifications employed in the Physical Plant Divisions are "blue collar" positions. <sup>2/</sup> However, since there are a number of other "blue collar" type positions which are employed in the Physical Plant Divisions, the Commission deems that the employees employed in the Physical Plant Divisions are not an appropriate unit.

In summary, to find that the claimed units are appropriate would result in the fragmentation of bargaining units which would not effectuate the policies of the State Employment Labor Relations Act as it now exists. We are, therefore, dismissing the petitions involved. <sup>3/</sup>

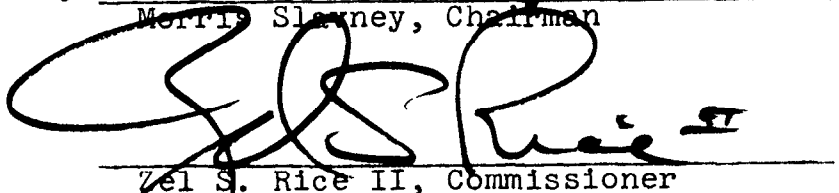
Dated at Madison, Wisconsin, this 17th day of April, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

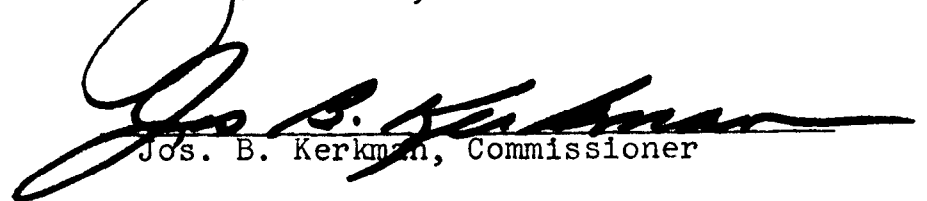
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Morris Slawney, Chairman



Zel S. Rice II, Commissioner



Jos. B. Kerkman, Commissioner

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<sup>2/</sup> There are a minimum number of positions which arguably could be considered craft-type employees.

<sup>3/</sup> The determination herein is based entirely on the statutory provisions of the State Employment Labor Relations Act as they now exist, and not on the newly passed, but yet unpublished amendments thereto.