

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of :

KEWAUNEE CITY EMPLOYEES LOCAL :
#1470, AFSCME, AFL-CIO :

Involving Certain Employees of :

CITY OF KEWAUNEE :

Case II
No. 15553 ME-784
Decision No. 11133

Appearances:

Mr. Arthur Wells, International Area Coordinator, State of Wisconsin, AFSCME, AFL-CIO, appearing on behalf of the Petitioner.

Mr. Thomas Kelliher, Mayor of the City of Kewaunee, appearing on behalf of the Employer.

DIRECTION OF ELECTION

Kewaunee City Employees Local #1470, 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 Kewaunee; and hearing on such petition having been conducted on June 20, 1972, at Kewaunee, Wisconsin, by Joseph B. Kerkman, Commissioner; and the Commission having considered the evidence and position of the parties, and being satisfied that a question has arisen concerning representation for certain employees of the City of Kewaunee;

NOW, THEREFORE, it is

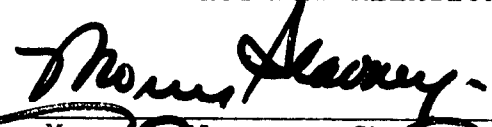
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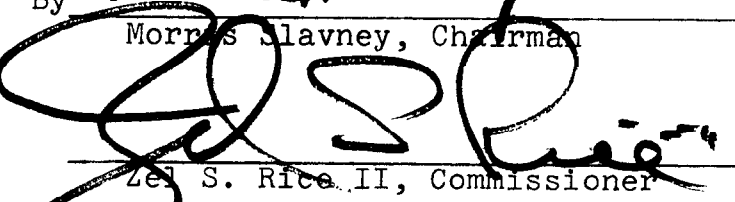
That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Commission within sixty (60) days from the date of this directive in the collective bargaining unit consisting of all regular full time and regular part time police officers of the City of Kewaunee, but excluding the Chief of Police, for the purpose of determining whether a majority of such employees desire to be represented by Kewaunee City Employees Local #1470, AFSCME, AFL-CIO, for the purposes of collective bargaining with the City of Kewaunee on questions of wages, hours and conditions of employment for those employees employed by the Municipal Employer on June 20, 1972, unless they quit their employment or are terminated for cause between June 20, 1972, and the date of the election.

Given under our hands and seal at the
City of Madison, Wisconsin, this 14th
day of July, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice, II, Commissioner


Jos. B. Kerkman, Commissioner

No. 11133

MEMORANDUM ACCOMPANYING
DIRECTION OF ELECTION

During the course of the hearing, the parties stipulated to an election in the bargaining unit comprised of all regular full time and regular part time police officers of the City of Kewaunee, but excluding the Chief of Police.


The sole issue raised at the hearing was whether the position of Relief Patrolman, occupied by Francis Black, falls within the description of the unit set forth above. At the time of the hearing, the Mayor was not prepared to testify as to the nature of the duties or the hours of work required of this position, and the Chief of Police was not available to testify. The parties agreed that the City would forward a description of the duties required of the Relief Patrolman to the Commission with a copy to the Union. The description is clear that Mr. Black functions as a Relief Patrolman and while functioning in this capacity, performs the same duties as all other police officers on the force including the power to make arrests. The description further sets forth that Mr. Black works a regular part time schedule each week, 10:00 P.M. to 6:00 A.M. on Fridays and Saturdays. In addition to this regular schedule, Mr. Black is used during the Summer months to fill in for vacations on the 12:00 to 8:00 A.M. shift and further is available on call to fill in during emergencies and sickness of other officers.

From the description furnished by the City, the Commission concludes that the position of Relief Patrolman occupied by Francis Black is appropriately included in the unit as a regular part time employee and that Mr. Black has sufficient community of interest in wages, hours and conditions of employment that he should be represented along with all other officers of the Municipal Employer.

Dated at Madison, Wisconsin, this 14th day of July, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner