

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

MILWAUKEE BOARD OF SCHOOL DIRECTORS

ORDER DENYING MOTION

Pos. B. Kerkman, Commissioner

MEMORANDUM ACCOMPANYING ORDER DENYING MOTION

Prior to setting hearing on the petition the Commission made an administrative determination that the showing of interest submitted by the petitioning organization was sufficient to warrant further processing of the petition. In its Motion the Milwaukee Teachers Education Association contended it was highly unlikely that the Petitioner could have submitted a sufficient showing of interest among 1,794 employees which was the actual number of employees in the employ of the School District. In its petition the Petitioner estimated that there were approximately 1,400 employees in the unit.

Prior to setting hearing in the matter the Commission administratively determined that the showing of interest was sufficient. Since such a determination is administrative, it is not subject to review by the parties.


It should be noted that when the original election was conducted in the spring of 1969 there were approximately 1,173 teacher aides eligible to vote. Of that number only 431 cast ballots, 4 of which were challenged. Four hundred and twenty-seven valid ballots were counted, and of that number 381 voted in favor of the Milwaukee Teachers Education Association as their bargaining representative.

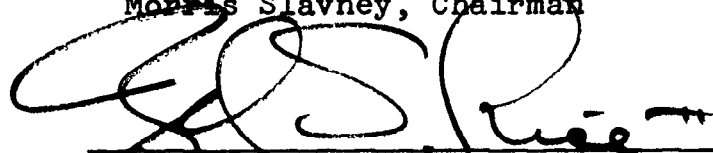
The Commission is not absolutely bound to apply the showing of interest rule in every case. It is a general policy rule. Even if the Commission in this proceeding were satisfied that the showing of interest was not adequate, it may very well have not applied this rule in the instant matter since from the date of the original election the bargaining unit has increased by over 600 employees. The ballots cast for the present certified bargaining representative (Milwaukee Teachers Education Association) in the original election was only 381. The total number of employees participating in that election was less than 36 percent of the eligible employees involved. Milwaukee Teachers Education Association was selected as the bargaining representative by only approximately 32 percent of the employees in the unit.

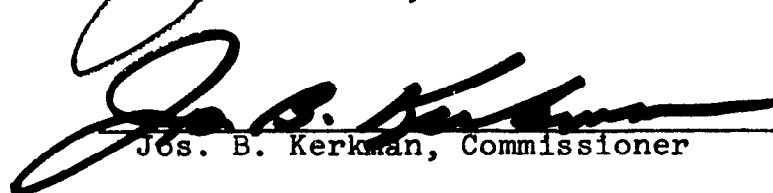
We have, therefore, denied the Motion and will, within the next few days, issue the Direction of Election in the matter.

Dated at Madison, Wisconsin, this 24th day of July, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner

  
Jos. B. Kerkman, Commissioner