

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of :

WISCONSIN COUNCIL OF COUNTY AND :
MUNICIPAL EMPLOYEES, AFSCME, AFL-CIO: :

Involving Certain Employees of :

JOINT SCHOOL DISTRICT NO. 1, :
CITY AND TOWN OF MENASHA :
----- :

Case X
No. 15818 ME-814
Decision No. 11256

Appearances:

Mr. William Sandoval, District Representative, AFSCME,
for the Petitioner.

Mr. Donald Thornton, Chairman, Personnel Committee of the
Board of Education, for 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 Joint School District No. 1, City and Town of Menasha; and hearing on said petition having been conducted on August 11, 1972, by Jos. B. Kerkman, Commissioner; and during the course of said hearing the parties having presented evidence with regard to the unit appropriate for collective bargaining and to the employees eligible to vote within said unit; and the Commission having considered the evidence and being satisfied that a question of representation has arisen concerning certain employees of the above Municipal Employer;

NOW, THEREFORE, it is

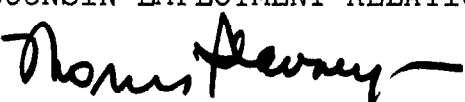
DIRECTED

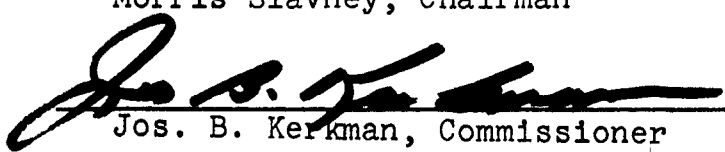
That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Commission within sixty (60) days from the date of this Directive among all regular full-time and regular part-time secretaries employed by Joint School District No. 1, City and Town of Menasha excluding confidential employees, supervisors, professional and managerial employees, custodial and food service employees, who were employed by the Municipal Employer on August 11, 1972, unless such employees quit their employment or are terminated for cause prior to the date of the election, for the purpose of determining whether a majority of such employees desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, for the purpose of collective bargaining with Joint School District No. 1, City and Town of Menasha on questions of wages, hours and conditions of employment.

Given under our hands and seal at the
City of Madison, Wisconsin, this 30th
day of August, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Jos. B. Kerkman, Commissioner

No. 11256

JOINT SCHOOL DISTRICT NO. 1, CITY AND TOWN OF MENASHA, X
Decision No. 11256

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

During the course of the hearing the parties stipulated to the conduct of the election and further stipulated that Bernadine Fisher is a confidential employee within the meaning of Section 111.70(1)(b) of the Wisconsin Statutes.

The Municipal Employer contends that the Payroll Secretary, Mary Resch, and the Secretary for Business Services, Ruth Taggart, are also confidential employees. The Petitioner, on the other hand, contends that the Payroll Secretary and the Secretary for Business Services are not confidential and should be included in the unit.

The position of Secretary for Business Services occupied by Ruth Taggart carries with it the following responsibilities and duties:

"Process Accounts Payable
Secretarial services for the Director of Business Services
Type Budget materials and final budget
Prepare Budget status reports
Prepare Negotiations materials for Director of Business Services
Accounting Machine Operation
Process Accounts payable
Hot lunch money and reports
Misc typing and duplication
Cooperative Sharing as directed by the Director of Business Services"

Testimony adduced at the hearing emphasizes that Ruth Taggart types all drafts of the budget and is fully cognizant of all line items within both the proposed and finalized budgets which clearly set forth the amount of money set aside for bargaining purposes for specific bargaining units. It is further clear that as Secretary for Business Services Ruth Taggart types memorandums regarding status of negotiations to the Board of Education and is fully cognizant of positions that will be taken at the bargaining table by the Municipal Employer. From the foregoing it is clear to the Commission that the Secretary for Business Services is a confidential employee within the meaning of Section 111.70(1)(b) and should therefore be, and is excluded from the bargaining unit.


The position of Secretary for Payroll Services is filled by Mary Resch and carries with it the following duties:

"Prepare payroll and supplementary information
Quarterly financial reports
Monthly Financial reports
Medical and Life Insurance records and reports
Sick leave records
Provide salary and fringe benefit information for the
negotiating process
Accounting Machine operation
Hot Lunch money and records
Cooperative Sharing as directed by the Director of Business Services"

The record indicates that Mary Resch, as Secretary for Payroll Services, is the expert in fringe benefit administration. She provides information to the administration and to the Board of Education regarding potential costs of proposed medical, life insurance or other fringe benefit increases when being considered for bargaining purposes. The record is clear that the Secretary for Payroll Services recognizes the reason for requests of contemplated costs of increased insurance benefits. On the whole, we conclude the position to be confidential and excluded from the unit.

Dated at Madison, Wisconsin, this 30th day of August, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Morris Slavney, Chairman


Jos. B. Kerkman, Commissioner