

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case XXII
No. 15497 ME-773
Decision No. 11267-A

Mr. Earl Gregory, Staff Representative, for the Petitioner.
Quarles and Brady, Attorneys at Law, by Mr. George K. Whyte, Jr.
for the Municipal Employer.

District Council 48, AFSCME, AFL-CIO, and its affiliated Local 587, hereinafter referred to as Petitioner, having filed a petition with the Wisconsin Employment Relations Commission on June 14, 1976 requesting that the Commission issue an Order clarifying an existing certified collective bargaining unit with respect to whether the position of Offset Pressman Assistant should be included or excluded from the unit currently represented by Petitioner, consisting of all employees of District #9, Area Board of Vocational, Technical and Adult Education classified as Clerk I, II, III, Stores Clerk I, II, III, Clerk Typist I, II, III, Clerk Stenographer I, II, III, Student Service Coordinator I, Key Punch Operator I, II, Telephone Operator, Maintenance Worker I, II, III, Assistant Stage Manager, Security Officer, Engineering Aide, Foundry Helper, Custodial Worker I, II, III, Public Service Assistant, Audio Visual Aides, Assistant, Bindery Assistant Trainee, Bindery Assistant I, II, all cafeteria employees, and all teacher aides, except those included in the unit of teaching para-professionals, but excluding supervisory personnel, craft employees, professional employees, technical employees, confidential employees and student interns subsidized by federal funds; and a hearing in the matter having been held on July 15, 1976 before Stanley H. Michelstetter II, Hearing Officer, and the Commission, having considered the evidence and arguments of the parties and being fully advised in the premises and being satisfied that the position of Offset Pressman Assistant is occupied by a "craft" employe, makes and issues the following

That the Offset Pressman Assistant is not included in the aforementioned collective bargaining unit.

Given under our hands and seal at the
City of Madison, Wisconsin this 27th
day of May, 1977.

By

Herman Torosian, Commissioner

Charles D. Hoornstra, Commissioner

MILWAUKEE DISTRICT #9 AREA BOARD OF VOCATIONAL, TECHNICAL, AND ADULT
EDUCATION, XXII, Decision No. 11267-A

MEMORANDUM ACCOMPANYING ORDER CLARIFYING BARGAINING UNIT

Petitioner now seeks to include the position of Offset Pressman Assistant, herein referred to as the Assistant, in its currently represented unit. The position previously known by other titles, including "Pressman Assistant", was excluded from the unit as a result of the parties' stipulation at the time of election, treating it as a technical position. The parties agree the Offset Pressman Assistant is not properly included in Petitioner's unit if it is a craft or technical position.

Petitioner contends the Assistant lacks any real expectancy of permanent employment as a journeyman printer (Offset Pressman) with the Municipal Employer and, thus, is not in direct line of progression in the craft. It also asserts that the Assistant performs work similar to the non-technical Bindery Assistants included in the unit.

The Employer contends that the Assistant is the Offset Pressman's helper 1/ and is in direct line of progression in the trade because experience as an assistant is recognized in the printing trade as equivalent to an equal period of service as an apprentice. Alternatively, it asserts that the position has not changed since the 1972 election.

The Employer's Graphic and Applied Arts Department serves its vocational training mission by providing both production of its printed materials and opportunities for student observation of an actual industrial operation. The department includes, inter alia, a bindery division and a printing division each housed in separate rooms, all in close physical proximity. The Offset Pressman, journeyman pressman, Howard McCollum, operates the presses for production purposes, while the Instructor, McCollum's co-equal, uses the presses for student instruction. The Assistant, David Krueger, is the only other non supervisory employe in the printing division. Unlike the other two positions, the Assistant is a two year limited term training position, designed by the Employer, with the cooperation of the printing trades, to give a minimally experienced applicant two years of experience equivalent to two years as an indentured apprentice pressman (although the position is formally indentured).

The Assistant spends 99% of his total time in the press rooms; 74% assisting the Offset Pressman in setting up, operating and maintaining the presses, 15% aiding the Instructor with student supervision, and 10% setting up, operating and maintaining the offset duplicators. The remaining 1% is spent in the bindery at times when there is less printing work and the bindery needs assistance. 2/ The Assistant's wage structure is identical to the prevailing wage structure for apprentice pressman, a periodically increasing percentage of the prevailing journeyman's rate.

1/ The parties have properly stipulated the Offset Pressman is a craft position.

2/ At the time of certification the Assistant spent slightly more time in the bindery, either when needed or when there was insufficient printing work for him.

McCollum himself gained recognition as a journeyman pressman primarily through his extended experience in this position. Although the position has since been limited to two years and the occupant of said position has lost any real expectation of permanent employment with the Employer, Assistants are very likely to use the training they have received to complete the remainder of the four year apprenticeship with other employers. We are satisfied service in the position is recognized in the printing industry as equivalent to an equal amount of service as an indentured apprentice pressman and employees in the position properly view it as a means of achieving journeyman status in the printing craft.

Section 111.70(1)(f), Stats., provides:

"'Craft employe' means a skilled journeyman craftsman, including his apprentices and helpers, but shall not include employes not in direct line of progression in the craft."

We find the Offset Pressman Assistant is a helper in direct line of progression in the printing craft within the meaning of said provision, and therefore is a craft employe. As such the position is not included in the unit represented by the Petitioner.

Dated at Madison, Wisconsin this 27th day of May, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Herman Torosian
Herman Torosian, Commissioner

Charles D. Hoornstra
Charles D. Hoornstra, Commissioner