

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of

LOCAL 222, UNITED NURSING HOME &  
HOSPITAL EMPLOYEES' FEDERATION

Involving Certain Employees of

TWO RIVERS MUNICIPAL HOSPITAL  
INCLUDING HAMILTON MEMORIAL HOME  
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Case XII  
No. 16242 ME-861  
Decision No. 11513-A

ORDER DENYING OBJECTIONS TO CONDUCT OF ELECTION

The Wisconsin Employment Relations Commission, following the filing of a petition by Local 222, United Nursing Home & Hospital Employees' Federation requesting that an election be conducted among certain employees of Two Rivers Municipal Hospital including Hamilton Memorial Home, having on December 28, 1972, conducted hearing on said petition; and on December 29, 1972, said Labor Organization having filed a complaint with the Commission alleging that the above named Municipal Employer had engaged in certain prohibited practices; and on January 2, 1973, said Labor Organization, by wire, having waived the allegations in the complaint as affecting the results of the election; and as a result, the Commission, having on January 9, 1973, directed that an election be conducted among all regular employees of the Municipal Employer at its Two Rivers, Wisconsin location, excluding professional (including registered nurses), craft, confidential, managerial, and supervisory employees, for the purpose of determining whether a majority of such employees desire to be represented for the purposes of collective bargaining by Local 222, United Nursing Home & Hospital Employees' Federation; Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, Local 76; or Local 150, Service & Hospital Employees' International Union, AFL-CIO, or none of said organizations; and prior to the scheduling of such election and while awaiting the eligibility list from the Municipal Employer, the Municipal Employer, by its Counsel, on January 17, 1973, having filed objections to the election, contending that the election should be deferred until all matters relating to the prohibited practice complaint be adjudicated; and the Commission being fully advised in the premises, and being satisfied that the objections filed by the Municipal Employer be denied;

NOW, THEREFORE, it is

ORDERED

That the objections to the conduct of the election directed herein be, and the same hereby are, denied.

Given under our hands and seal at the  
City of Madison, Wisconsin, this 18th  
day of January, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

*Thomas Slayney*  
Morris Slayney, Chairman

*John S. Rice II*  
John S. Rice II, Commissioner

No. 11513-A

TWO RIVERS MUNICIPAL HOSPITAL INCLUDING HAMILTON MEMORIAL HOME, XII,  
Decision No. 11513-A

MEMORANDUM ACCOMPANYING  
ORDER DENYING OBJECTIONS TO CONDUCT OF ELECTION

The instant election proceeding was initiated by a petition filed by Local 222, United Nursing Home & Hospital Employees' Federation requesting an election among non-professional and non-craft employees of the Municipal Employer. During the course of the hearing two additional labor organizations were permitted to intervene in the matter on their claim that they represented certain employees in the unit involved. During the course of the hearing the Municipal Employer did not present a proper list of the employees in the unit. Following the close of the hearing, and on the following day, Local 222 filed a complaint with the Commission alleging that the Municipal Employer had discharged an employee because of her concerted activity. Upon receipt of the complaint Local 222 was advised that it would not process the election petition unless Local 222 waived the allegations in its complaint as affecting the results of the election. In response thereto Local 222, on January 2, 1973, by wire, filed an effective waiver of the complaint as affecting the results of the election. The complaint case was assigned to a Hearing Examiner who scheduled hearing on the complaint for January 24, 1973. On January 9, 1973, the Commission issued its Direction wherein it directed that an election be held within sixty days among the employees in the unit involved. On January 17, 1973, Counsel for the Municipal Employer filed objections to the conduct of the election contending that the election should be delayed until the complaint case has been resolved.

Since Local 222, as the Complainant in the complaint case, has waived the complaint as affecting the results of the election, the Commission sees no valid reason for delaying the conduct of the election. However, it has instructed the Hearing Examiner to postpone the hearing on the complaint until after the conduct of the election.

Dated at Madison, Wisconsin, this 18th day of January, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thomas Slavney  
Morris Slavney, Chairman

Zeke B. Rice II  
Zeke B. Rice II, Commissioner