

STATE OF WISCONSIN

should the ~~BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION~~ ~~ment,~~
may very well require all employees in the unit to become members
of the Union or to pay the equivalent of dues to the Union. Said
new employees therefore have a right to participate in the referendum,
in the matter of the Requested policy of the Commission.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, COUNCIL 24,
AFL-CIO AND ITS AFFILIATED LOCALS WISCONSIN EMPLOYMENT RELATIONS COMMISSION
Case XXXV
No. 16491 DR(S)-5
Decision No. 11596

Requesting a Declaratory Ruling as
to the Affect of the Results of a
Referendum wherein the Required
Number of Employees Vote in Favor
of a Fair-Share Agreement

Morris Slavney, Chairman

Involving Employees in the Employ of the ~~State of Wisconsin~~ ~~Commissioner~~

STATE OF WISCONSIN

ORDER REQUESTING RESPONSE TO MOTION
FOR DECLARATORY RULING AND SETTING HEARING

American Federation of State, County and Municipal Employees,
Council 24, AFL-CIO and its Affiliated Locals having requested the
Wisconsin Employment Relations Commission to issue a declaratory
ruling as to the effect of the results of a referendum wherein the
required number of employees vote in favor of a fair-share agreement
involving employees in the employ of the State of Wisconsin; 1/ and
the Commission being satisfied that interested parties be given the
opportunity to file statements of position and to be heard in the
matter;

NOW, THEREFORE, it is

ORDERED

That any party having an interest in the matter shall, on or
before February 19, 1973, file with the Commission an original and
two copies of a statement of position in regard to the matter and at
the same time serve a copy thereof on American Federation of State,
County and Municipal Employees, Council 24, AFL-CIO and its Affiliated
Locals, 148 East Johnson Street, Madison, Wisconsin 53703, and also
the Department of Administration, Wilson Street State Office Building,
Room 275, One West Wilson Street, Madison, Wisconsin 53702; and
further, that hearing in the matter will be held on Friday, March 2,
1973, at 10:00 a.m. at the Commission's Madison Office, Room 910,
30 West Mifflin Street, Madison, Wisconsin.

Given under our hands and seal at the
City of Madison, Wisconsin, this 7th
day of February, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slavney, Chairman

Zel S. Rice II, Commissioner

1/ Such request was made during the course of a referendum hearing
conducted in Department of Administration, Cases XXIX, XXX and XXXI.

MEMORANDUM ACCOMPANYING
ORDER REQUESTING RESPONSE TO MOTION
FOR DECLARATORY RULING AND SETTING HEARING

American Federation of State, County and Municipal Employees, Council 24, AFL-CIO and its Affiliated Locals, as the certified collective bargaining representative for (1) blue collar and non-building trades employees, (2) technical employees and (3) security and public safety employees, filed three separate petitions with the Commission requesting the Commission to conduct separate referenda among the employees in the three separate units above noted. Hearing on said petitions was held on February 5, 1973, during the course of which the Union requested a ruling from the Commission as to whether, following the results of a referendum where the required number of employees would vote in favor of directing the Union involved and the State Employer to enter into a fair-share agreement, whether the parties were obligated to enter into a fair-share agreement or whether implementation of the fair-share agreement was a matter subject to collective bargaining. In response to such request, the Commission advised the parties that, since the ruling requested would also apply to other labor organizations, it would not issue its ruling in said referenda proceedings but would, rather, deem the matter subject to a declaratory ruling proceeding under Chapter 227 of the Wisconsin Statutes.

Representatives of the Union and the State waived the filing of a written request for a declaratory ruling with the understanding that the Commission would issue a notice of hearing with respect to the matter and afford interested parties an opportunity to file written statements of their position prior to the hearing conducted with respect to the matter.

Therefore, the Commission has set a date for the receipt of written statements of positions, as well as a date on which hearing will be conducted in the matter.

Dated at Madison, Wisconsin, this 7th day of February, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slayney, Chairman


Zel S. Rice II, Commissioner