

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Request of :
RUSK COUNTY : Case X
: No. 16602 ME-895
For Clarification of Bargaining : Decision No. 11768
Unit Involving Certain Employees of :
RUSK COUNTY :

ORDER CLARIFYING BARGAINING UNIT

Rusk County, having requested the Wisconsin Employment Relations Commission to issue an order clarifying the existing collective bargaining unit to determine whether the position of Extension Home Economist and Bookkeeper I (Highway Office) are to be included in or excluded from the bargaining unit consisting of all regular full-time and regular part-time employees of Rusk County, but excluding all elected personnel, supervisory personnel, the County Forester, 4-H Agent, Zoning Administrator, Office Manager--Highway Department and confidential personnel; and hearing in the matter having been held at Ladysmith, Wisconsin, on April 6, 1973, Herman Torosian, Hearing Officer being present; and the Commission having considered the evidence and being fully advised in the premises, makes and issues the following


ORDER CLARIFYING BARGAINING UNIT

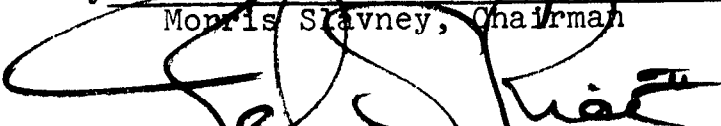
That the positions of Extension Home Economist and the Bookkeeper I position at the Highway Office are excluded from the above described collective bargaining unit.

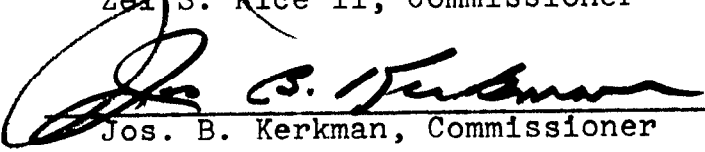
Given under our hands and seal at the
City of Madison, Wisconsin, this 18th
day of April, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

No. 11768

MEMORANDUM ACCOMPANYING
ORDER CLARIFYING BARGAINING UNIT

Following an election conducted by it, the Wisconsin Employment Relations Commission on August 27, 1969, certified Local 2003, American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter referred to as the Union, as the exclusive bargaining representative of all regular full-time and regular part-time employees of the Rusk County Courthouse, excluding all elected, appointed, confidential and supervisory personnel. On March 12, 1973, the Municipal Employer requested a clarification of the above mentioned bargaining unit wherein it sought exclusion of the position of Extension Home Economist on the basis that a substantial portion of the salary and benefits for said position are paid for and provided by the University of Wisconsin rather than Rusk County. The Municipal Employer also seeks the exclusion of the Bookkeeper I position at the Highway Office on the basis that said position is confidential.

During the course of the hearing, the Union conceded that the position of Extension Home Economist should be excluded from the collective bargaining unit for the reason stated by the Municipal Employer above. Said position is therefore excluded from the unit.

The alleged confidential position is the Bookkeeper I position at the Highway Office presently occupied by Beverly Bungard. As her position title suggests, Bungard's duties are primarily clerical in nature. The record establishes, however, that in addition to her routine work she is required, and relied upon by the County Highway Committee, to take notes and type County proposals during negotiations with Local 2003. Although she is not on the County's negotiating team, she nevertheless is relied upon throughout negotiations to type matters privy to the County's bargaining strategy. The County has no other position excluded as confidential.

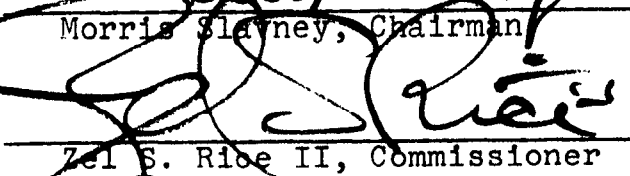
Based on the above facts and also the fact that the parties mutually excluded Beverly Bungard's predecessor as a confidential employee, the Commission concludes the Bookkeeper I is privy to confidential matters relating to labor relations and therefore excluded from the collective bargaining unit.^{1/}

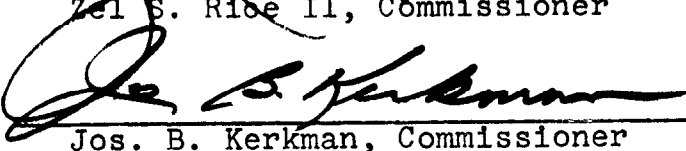
Dated at Madison, Wisconsin, this 18th day of April, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slattery, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

^{1/} Also see Eau Claire County, Decision No. 9198-A, 10/69; Village of Brown Deer, Decision No. 8915, 2/69; and Chippewa County, Decision No. 8727, 10/68.