

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Stipulation of

INTERNATIONAL UNION, ALLIED  
INDUSTRIAL WORKERS OF AMERICA,  
AFL-CIO, LOCAL 619, and MICRO-  
DESIGN, INC.

For a Referendum on the Question  
of an All-Union Agreement between

MICRO-DESIGN, INC.  
Hartford, Wisconsin, Employer

and INTERNATIONAL UNION, ALLIED  
INDUSTRIAL WORKERS OF AMERICA,  
AFL-CIO, LOCAL 619, Union.

Case I  
No. 16685 R-5479  
Decision No. 11771-B

Appearances: -----

Goldberg, Previant & Uelmen, Attorneys at Law, by Mr. Thomas P. Krukowski, appearing on behalf of the Petitioner.

Vedder, Price, Kaufman & Kammholz, Attorneys at Law, Mr. John P. Jacoby, appearing on behalf of the Employer.

ORDER DISMISSING OBJECTIONS TO CONDUCT  
OF REFERENDUM AND CERTIFICATION OF REFERENDUM

Following the filing of a Stipulation for Referendum executed by the parties, which stipulation contained a list of employees which the parties had agreed upon as being eligible to participate in the referendum, the Commission, pursuant to a Direction issued by it, conducted a referendum on May 8, 1973, pursuant to Section 111.06 of the Wisconsin Employment Peace Act among all full-time and regular part-time production and maintenance employees of the Employer, excluding draftsmen and other engineering employees, office clerical employees, professional employees, guards and supervisors as defined in the Act who were employed by the Employer on April 3, 1973. The purpose of the referendum was to determine whether the required number of eligible employees in the collective bargaining unit described above favored an "All-Union Agreement" between the Union and the Employer named above. The result of the referendum was as follows:

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| 1. Total number eligible to vote . . . . .                     | 81 |
| 2. Total ballots cast . . . . .                                | 44 |
| 3. Total valid ballots counted . . . . .                       | 44 |
| 4. Ballots cast in favor of an "All-Union Agreement" . . . . . | 26 |
| 5. Ballots cast against an "All-Union Agreement" . . . . .     | 18 |

On May 14, 1973, the above named Union filed objections to the conduct of the referendum alleging that the above named Employer had engaged in conduct which made a fair and free choice by the employes impossible. A hearing on said objections was held on July 27, 1973, at West Bend, Wisconsin, and subsequent to said hearing and before any further action by the Commission in the matter, the Union agreed to withdraw said objections pursuant to a settlement agreement reached with above named Employer; and the Commission being fully advised in the premises and satisfied that said objections be dismissed on the basis of said settlement agreement

NOW, THEREFORE, it is

ORDERED

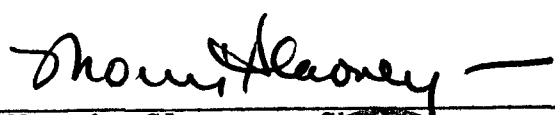
That the objections to the conduct of the referendum be, and the same hereby are dismissed; and

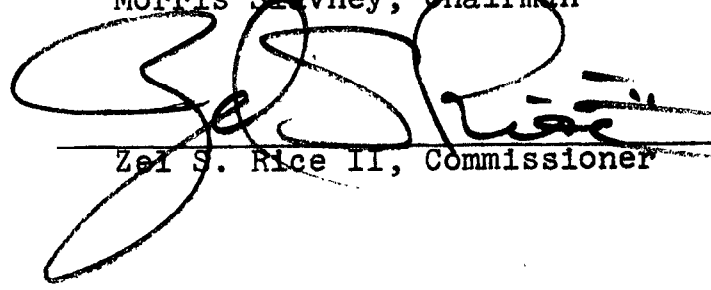
IT IS HEREBY CERTIFIED that the required number of the eligible employes in the collective bargaining unit involved herein failed to vote in favor of authorizing an "All-Union Agreement" between International Union, Allied Industrial Workers of America, AFL-CIO, Local 619, and Micro-Design, Inc.

Given under our hands and seal at the City of Madison, Wisconsin, this 30th day of April, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
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Morris Slavney, Chairman

  
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Zel S. Rice II, Commissioner

MEMORANDUM ACCOMPANYING  
ORDER DISMISSING OBJECTIONS TO CONDUCT  
OF REFERENDUM AND CERTIFICATION OF REFERENDUM

Subsequent to the hearing, but before written arguments had been filed, the parties entered into an agreement whereby the Union agreed to withdraw its objections in exchange for the Employer's agreement as follows:

"(1) Assure the Union that no joint meeting for the purpose of discussing referendum issues will be conducted for bargaining unit and non-bargaining unit employees prior to any future referendum;

(2) Agree to enter into a Stipulation for Referendum when and in the event the Union desires that a new referendum be held;


(3) In the event a new referendum is held, inform the employees in writing that the Employer will not hold a captive audience meeting within twenty-four hours thereof."

Based on the agreement reached between the parties, the Commission has dismissed the objections to the conduct of the referendum and certified the results of the referendum.

Dated at Madison, Wisconsin, this 30th day of April, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
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Morris Slawney, Chairman

  
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Zel S. Rice II, Commissioner