

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

MADISON EMPLOYEES LOCAL UNION #60,
AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO

Case XV
No. 16661 ME-910
Decision No. 11773

Involving Certain Employes of

MADISON JOINT SCHOOL DISTRICT NO. 8

Appearances:

Mr. George E. Lewis, District Representative, for the Union.
Mr. Neil Gundermann, Consultant, for the Municipal Employer.

DIRECTION OF ELECTION

Madison Employees Local Union #60, American Federation of State, County and Municipal Employees, AFL-CIO, having filed a petition with the Wisconsin Employment Relations Commission requesting that an election be conducted among certain employes of Madison Joint School District No. 8, Madison, Wisconsin, for the purpose of determining whether said employes desire to be represented by said Petitioner for the purposes of collective bargaining with said Municipal Employer; and pursuant to notice, hearing in the matter having been conducted at Madison, Wisconsin, on April 18, 1973, Chairman Morris Slavney being present; and during the course of the hearing the parties having stipulated to the description of the appropriate unit; and the Commission being fully advised in the premises and being satisfied that a question of representation presently exists among the employes covered by the instant petition;

NOW, THEREFORE, it is

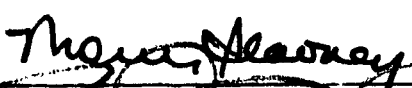
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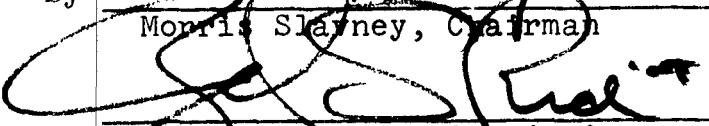
That an election by secret ballot be conducted within sixty (60) days from the date of this Directive in the collective bargaining unit consisting of all food service employes in the employ of Madison Joint School District No. 8, excluding managerial, supervisory and confidential employes, as well as teaching assistants performing cashier duties and student employes, who were employed by the Municipal Employer on April 10, 1973, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employes desire to be represented for the purposes of collective bargaining by Madison Employees Local Union #60, American Federation of State, County and Municipal Employees, AFL-CIO.

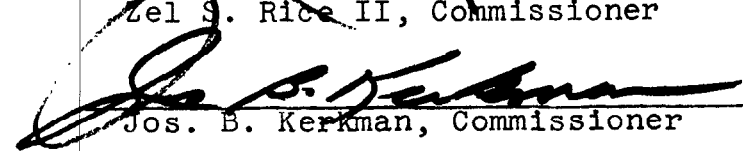
Given under our hands and seal at the
City of Madison, Wisconsin, this 19th
day of April, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

No. 11773

MEMORANDUM ACCOMPANYING
DIRECTION OF ELECTION

During the course of the hearing in the instant matter the parties agreed as to the description of the unit appropriate for the election directed herein. The parties stipulated that the individuals occupying the classification of "Kitchen Manager" were to be excluded. However, issues arose as to whether individuals occupying the classifications of "Head Cook," "Head Baker," "Head Salad Cook" and "Satellite Manager" were to be included or excluded from the unit. The Petitioner expressed the opinion that said positions should be included in the unit, while the Municipal Employer opposed their inclusion, contending that the individuals occupying such positions were performing such supervisory duties so as to exclude them from the eligibles.

Since the end of the school year is closely approaching, and further since the parties desire that the election be conducted prior to the close of the school year, it was agreed by the parties that the individuals occupying positions in issue could vote by challenged ballot, and thereupon the parties requested the Commission to conduct the election before the end of the school year.

The Commission will conduct the election by a mail ballot prior to the end of the school year, and will subsequently determine whether the positions in issue are to be included or excluded from the unit, regardless of whether the challenged ballots cast by the individuals occupying said positions will affect the results of the election.

Dated at Madison, Wisconsin, this 19th day of April, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slawney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner