

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case I  
No. 16635 ME-905  
Decision No. 11802

Mr. Rudolph Poweleit, Clerk, Lakeside State Graded School District No. 7, Town of Delafield, appearing on behalf of the Municipal Employer.

Mr. Dennis M. Dolezar, Lakeside School Teachers Association, appearing on behalf of the Association.

Mr. Jack Mercier, Wisconsin Education Association, appearing on behalf of the Association.

Mr. J. Christopher Moore, Arrowhead District Council, appearing on behalf of the Association.

Lakeside State Graded School District No. 7, Town of Delafield having petitioned the Wisconsin Employment Relations Commission to conduct an election pursuant to Section 111.70 of the Wisconsin Statutes among certain of its employees; and hearing on such petition having been conducted on April 23, 1973, by Stanley H. Michelstetter II, a member of the Commission's staff, during the course of which Lakeside School Teachers Association having been permitted to intervene in the proceeding on its claim that it represented the employees involved; and the Commission having considered the evidence and position of the parties, and being satisfied that a question has arisen concerning representation for certain employees of Lakeside State Graded School District No. 7, Town of Delafield;

DIRECTED

No. 11802

on April 30, 1973, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employees desire to be represented by Lakeside School Teachers Association, for the purposes of collective bargaining with the above named Municipal Employer on questions of wages, hours and conditions of employment.

Given under our hands and seal at the  
City of Madison, Wisconsin, this 30th  
day of April, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney  
Morris Slavney, Chairman

Zel S. Rhee II  
Zel S. Rhee II, Commissioner

Jos. B. Kerkman  
Jos. B. Kerkman, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

During the course of the hearing representatives of the Municipal Employer and the Association agreed to the description of the appropriate unit as set forth in the Direction of Election. It should be noted that some teacher aide positions are presently being filled by certificated teachers. Said certificated teachers who are occupying teacher aide positions are not included in the bargaining unit since they are being excluded as teacher aides.

With respect to the employees on leave of absence, the parties stipulated that Edward Sparks, who is presently on an educational leave of absence, and who has accepted a teaching position for the 1973-1974 school year, is eligible to vote. Such eligibility does not conflict with past Commission practice.

There is an issue as to whether Charolette Price is eligible to vote. Price's employment as a teacher is about to terminate. Her individual teaching contract for the 1973-1974 school year has not been renewed, solely because there is no position available for her. Price appeared at the hearing and indicated a desire to continue employment and further indicated that litigation is pending with respect to the non-renewal of her individual teaching contract. Since there is an issue with regard to the employment status of Charolette Price, should she present herself to vote, her ballot will be challenged by the Commission's agent conducting the balloting. 1/

Dated at Madison, Wisconsin, this 30th day of April, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slawney, Chairman

  
Zel S. Rice II, Commissioner

  
Jos. B. Kerkman, Commissioner

1/ Joint School District No. 1, City of Ashland (7090-A), 5/65;  
Joint School District No. 10, City of Appleton (7151), 5/65.