STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of LOCAL 222, UNITED NURSING HOME & HOSPITAL EMPLOYEES' FEDERATION Involving Certain Employes of	 : : : : : :	Case I No. 16590 E-2782 Decision No. 11848
PLYMOUTH HOSPITAL, INC.	::	

Appearances:

- Mr. Roger Jacobson, Business Representative, appearing on behalf of the Petitioner.
- Mr. Gary Robinson, Field Services Director, appearing on behalf of the Intervenor.
- Porter, Purtell, Purcell, Wilmot & Burroughs, S.C., Attorneys at Law, by <u>Mr. Dennis J. Purtell</u>, appearing on behalf of the Employer.

DIRECTION OF ELECTION

Local 222, United Nursing Home & Hospital Employees' Federation having petitioned the Wisconsin Employment Relations Commission to conduct an election among certain employes of Plymouth Hospital, Inc.; and hearing on such petition having been held at Plymouth, Wisconsin, on April 13, 1973, Kay Hutchison, Hearing Officer, having been present; and Local 150, Service & Hospital Employees International Union, AFL-CIO, having been permitted to intervene on the basis of its claim to represent said employes; and the Commission being satisfied that a question has arisen concerning representation for certain employes of the above named Employer;

NOW, THEREFORE, it is

DIRECTED

That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Commission within sixty (60) days from the date of this Directive in the collective bargaining unit consisting of all regular full-time and regular part-time employes of Plymouth Hospital, Inc., but excluding supervisory, managerial, casual and confidential employes, who were employed by the Employer on May 4, 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 purpose of collective bargaining by Local 222, United Nursing Home & Hospital Employees' Federation or by Local 150, Service & Hospital Employees International Union, AFL-CIO, or by neither of said organizations.

> Given under our hands and seal at the City of Madison, Wisconsin, this 11th day of May, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris ne Commissioner Rice II 1 Kerkman, Commissioner

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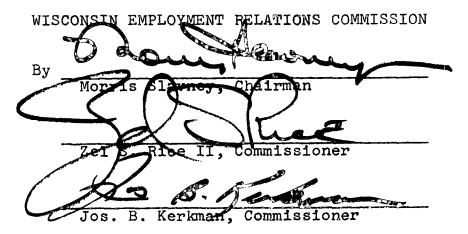
MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

During the course of the hearing, the Employer orally moved that the Commission reconsider its policy of not requiring a showing of interest by a labor organization seeking an election among employes where there exists no recognized or certified bargaining representative. The Employer requests that in the instant proceeding, the Commission require the Petitioner and/or Intervenor to provide at least a minimal showing of interest.

The Employer notes that the Petitioner's petition and the amended petition of the Intervenor both claim that a majority of employes desire to be represented by each of the respective organizations. In that such claims are obviously contradictory, the Employer argues that either one of the organizations should provide a showing of interest through a presentation of authorization cards to the Commission's agent in order to substantiate that the employes do, in fact, have an interest in being represented by either of the organizations.

In the instant proceeding, the Commission reaffirms its policy of not requiring a showing of interest by a labor organization among employes where there exists no recognized or certified bargaining representative. 1/ The Commission is satisfied that a showing of interest by the Petitioner and/or Intervenor is not required herein. Although there is no recognized or certified bargaining representative of the employes in the instant proceeding, it is conceivable that more than one organization has an interest in representing the employes. To require only one organization, be it Petitioner or Intervenor, to provide a showing of interest would be accordingly, beneficial or detrimental to the organization initiating the proceeding. We hold that the appropriate method of ascertaining the employes' interest in representation by various organizations where there is presently no recognized or certified bargaining representative, is through an election proceeding which, as herein, includes all parties with an interest in representing the employes.

Dated at Madison, Wisconsin, this 11th day of May, 1973.



Bellin Memorial Hospital (8518) 4/68; Wausau Colonial Manor (8717) 10/68; Wauwatosa Board of Education (8300-A) 2/68, aff. Dane Co. Cir. Ct. 8/68; Dodge County (Clearview Home) (8734) 10/68; Holy Family Hospital (9682-9687) 5/70 and (11535) 1/73; Algoma Memorial Hospital and Extended Care Facility (11801) 4/73.