

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of :

WISCONSIN COUNCIL OF COUNTY AND :
MUNICIPAL EMPLOYEES LOCAL 727, :
AFSCME, AFL-CIO :

Case VII
No. 16738 ME-922
Decision No. 11902

Involving Certain Employes of :

JOINT SCHOOL DISTRICT NO. 1 :
Menomonie, Wisconsin :

Appearances:

Mr. Guido Cecchini, Representative, appearing on behalf of the
Petitioner.

Mr. Wayne Devery, Business Manager, and Mr. Melvin O. Bollom,
Superintendent of Schools, appearing on behalf of the
Municipal Employer.

DIRECTION OF ELECTION

Wisconsin Council of County and Municipal Employees Local 727, AFSCME, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission to conduct an election pursuant to Section 111.70 of the Wisconsin Statutes among certain employes of Joint School District No. 1, Menomonie, Wisconsin, and a hearing on said petition having been conducted on May 22, 1973, at Menomonie, Wisconsin, by Commissioner Zel S. Rice II; and during the course of said hearing the parties having agreed on the unit appropriate for collective bargaining, and the Commission having considered the evidence and being satisfied that a question of representation has arisen concerning certain employes of the above Municipal 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 among all regular full-time and regular part-time custodial and maintenance employes of Joint School District No. 1, Menomonie, Wisconsin, but excluding supervisors, managers and all other employes, who were employed by the Municipal Employer on May 22, 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 Wisconsin Council of County and Municipal Employees Local 727, AFSCME, AFL-CIO.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner

No. 11902


MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

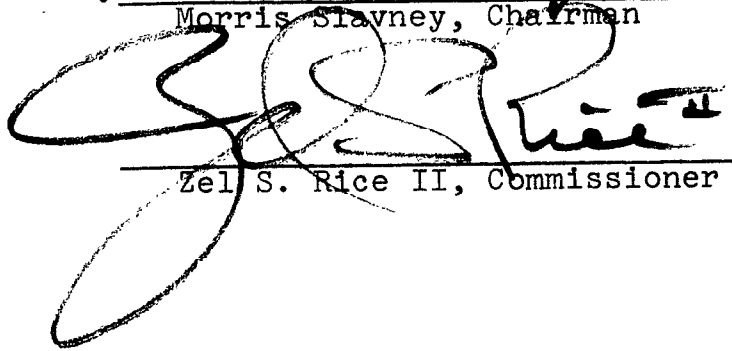
During the course of the hearing a question arose as to whether the position of High School Working Foreman should be included in the bargaining unit, and whether the incumbent of such position, Robert Spindler, should be permitted to vote. The position of High School Working Foreman was created approximately three years ago and has always been filled by Robert Spindler. Spindler works in the High School building and is under the direct supervision of two Principals and the Director of Secondary Education, as well as the Buildings and Grounds Supervisor. Ordinarily the Principals and the Director of Secondary Education advise the Buildings and Grounds Supervisor of whatever problems exist at the school and he gives instructions to Spindler with regard to same. There are five other custodial people employed at the High School in addition to Spindler. Spindler works out the schedules of said five employees and he assigns them to their various duties. He coordinates the other employees' work schedules and works himself into the schedules, and as a result he is performing the same duties as the other five custodial employees at the High School. The Principals, the Director of Secondary Education, and the Buildings and Grounds Supervisor have supervisory authority over the other five custodial employees as well as over Spindler. Spindler sits in with the Business Manager and Buildings and Grounds Superintendent in connection with discussions relative to hiring, firing or disciplining other employees. Any recommendation that comes out of this discussion is given to the Superintendent, who makes the final decision. Spindler earns \$25.00 per month more than the other custodial employees. He spends a majority of his time performing the same sort of work as the other custodial employees, and his supervisory authority is quite limited. His position is more that of a leadman or working foreman. Therefore, the position of High School Working Foreman is included in the bargaining unit and Spindler is permitted to vote.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner