

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 :
 :
 Involving Certain Employes of :
 :
 JOINT SCHOOL DISTRICT NO. 1 :
 Menomonie, Wisconsin :
 :

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

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 Thomas Slavney
 Thomas Slavney, Chairman

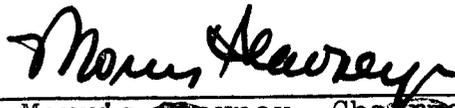
Zel S. Rice II
 Zel S. Rice II, Commissioner

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 employes and he assigns them to their various duties. He coordinates the other employes' work schedules and works himself into the schedules, and as a result he is performing the same duties as the other five custodial employes 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 employes 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 employes. 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 employes. He spends a majority of his time performing the same sort of work as the other custodial employes, 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