

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DOUGLAS COUNTY (HOSPITAL)

[illegible]

Case XXXV
No. 16626 IE-899
Decision No. 12016

Appearances :

Mr. Orville Anderson, Vice President, appearing on behalf of
the Union.

ORDER CLARIFYING BARGAINING UNIT

Douglas County (Hospital) having filed a petition with the Wisconsin Employment Relations Commission requesting the Commission to clarify the certified collective bargaining unit represented by General Drivers Local No. 346, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America consisting of "all employees of Douglas County employed in the Douglas County Hospital, except the Superintendent, Assistant to the Superintendent, supervisors, confidential employees and craft employees" to determine whether certain positions, namely; Executive Housekeeping Supervisor, Food Services Supervisor and Maintenance Supervisor, should be excluded from the collective bargaining unit as supervisory positions; and a hearing in the matter having been conducted on June 12, 1973, at Superior, Wisconsin, George R. Fleischli, Hearing Officer, being present; and the Commission having considered the evidence and arguments of the parties and being fully advised in the premises, and being satisfied that the positions of Executive Housekeeping Supervisor, Food Services Supervisor and Maintenance Supervisor should be excluded from the collective bargaining unit as supervisory positions, makes and issues the following

ORDER

That the position of Executive Housekeeping Supervisor, Food Services Supervisor and Maintenance Supervisor are excluded from the certified collective bargaining unit consisting of all employees of Douglas County employed in the Douglas County Hospital except the Superintendent, Assistant to the Superintendent, supervisors, confidential employees and craft employees.

Given under our hands and seal at the
City of Madison, Wisconsin, this 17th
day of July, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

~~Morris Slayney, Chairman~~

~~741~~ Rice II, Commissioner

Jos. B. Kerkman, Commissioner

MEMORANDUM ACCOMPANYING
ORDER CLARIFYING BARGAINING UNIT

At the time of the original certification 1/ of the Union as bargaining representative for the collective bargaining unit set out in the Order, no issue was raised regarding the alleged supervisory status of the positions referred to herein. The current collective bargaining agreement contains provisions regarding the wages, hours and working conditions which apply to the three positions in question.

According to the Petitioner, certain changes have been made or are in the process of being made with regard to the duties of the three positions in question which are discussed separately below. The Petitioner's organization chart reflects that a number of department heads or directors report directly to the Superintendent or his Administrative Assistant. The two directors of the nursing programs report directly to the Superintendent, as do a number of other directors of smaller programs, such as in-service education, occupational therapy and volunteer workers. Currently, four department heads report to the Administrative Assistant and through him to the Superintendent. They are the Food Services Supervisor, the Maintenance Supervisor, the Executive Housekeeping Supervisor, and the Laundry Supervisor. It is anticipated that the laundry department may be eliminated in the near future and that the sewing room operation, which is now conducted in conjunction with the laundry operation, will be transferred to the housekeeping department.

Food Services Supervisor

The duties of the Food Services Supervisor include the assignment of work to and the supervision of the work performed by seven cooks, five domestic employes, a part-time meatcutter and a part-time dietary consultant. The Food Services Supervisor does not perform work alongside the Cooks or other employes in the Food Services Department and spends approximately all of her time performing supervisory work or completing the necessary administrative tasks, which are part of her position. The Food Services Supervisor has a degree in food management and is responsible for the preparation of budgets, purchasing and other managerial functions.

Maintenance Supervisor

The Maintenance Supervisor is in charge of the maintenance department of the hospital and is a certified water-works operator. Although the Maintenance Supervisor performs some work alongside the Maintenance Engineers, he is in charge of the overall maintenance operation and assigns the work to the other employes. Working directly under the Maintenance Supervisor are three Maintenance Engineers, three Firemen who work on three separate shifts, and one Truck Driver. During the days when the Maintenance Supervisor is present in the hospital, there are usually four other employes present including the three Maintenance Engineers, one of the three Firemen and the Truck Driver. The Maintenance Engineer is charged with the responsibility of operating a preventative maintenance

1/ Douglas County (Hospital and Sanitarium) (7532), 4/66.

program which requires considerable time on his part including touring the hospital facility to see what maintenance needs to be performed and seeing to it that such work is performed properly.

Executive Housekeeping Supervisor

Currently the position of Executive Housekeeping Supervisor is vacant but one of the departmental employees is acting as temporary head of the department. Presently three Housekeepers and two Janitors are employed in this department, and it is anticipated that the one sewing room worker will be transferred to this department in the near future. The Petitioner indicates that the housekeeping program is currently considered to be a "weak program", and it is anticipated that, if funds permit, additional Housekeepers will be hired in the near future. According to the Petitioner, when this position is filled on a permanent basis, it will require extensive supervisory duties including the assignment of work and the evaluation of the work performed.

DISCUSSION

Currently, the acting head of the Housekeeping Department does not participate in the hiring process. However, the Food Services Supervisor and Maintenance Supervisor both participate in the hiring process and make effective recommendations to the Superintendent after consultation with the Administrative Assistant. Such authority will be extended to the Executive Housekeeping Supervisor chosen to fill that position. The evaluation process which is being established by the Petitioner will require each of the three department heads to make evaluations of employees to determine whether they should be given permanent status before their probationary period is up as well as to determine the quality of their performance thereafter.


The Commission is satisfied that the positions of Food Services Supervisor, Executive Housekeeping Supervisor and Maintenance Supervisor are supervisory positions which should be excluded from the bargaining unit. Although the position of Executive Housekeeping Supervisor is not currently filled, it is clear that when a permanent occupant for that position has been selected, the Employer intends to assign that employee supervisory duties commensurate with the other two positions.


In finding the three positions to be supervisory, it should be made clear that the Commission is not making a determination of what applicability, if any, the seniority provisions of sec. 8 of Article IV have to the filling of those three positions.

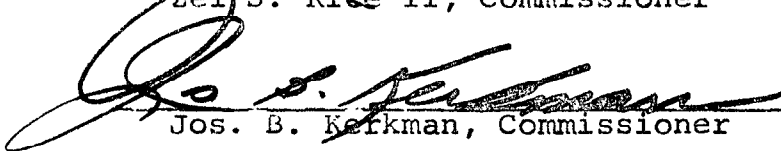
Dated at Madison, Wisconsin, this 17th day of July, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner