

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case XXXIX
No. 15779 ME-808
Decision No. 12067

Goldberg, Previant & Uelmen, Attorneys at Law, by Mr. John S. Williamson, Jr. and District Council 48, AFSCME, AFL-CIO, by Mr. John Redlich, Staff Representative, appearing for the Petitioner.

Mr. Nicholas M. Sigel, Assistant City Attorney, and Mr. Edward Neudauer, Acting Negotiator, appearing for the Municipal Employer.

Mr. Richard Perry, Attorney at Law, and Mr. Don Deeder, Assistant Executive Director, appearing for the Milwaukee Teachers Education Association as Intervenor.

Mr. James T. Horaitis, International Representative, appearing for International Union of Operating Engineers Local No. 950 as Intervenor.

District Council 48, AFSCME, AFL-CIO, having petitioned the Wisconsin Employment Relations Commission to conduct an election, pursuant to the Municipal Employment Relations Act, among certain non-represented employees in the employ of the Milwaukee Board of School Directors; and a hearing on said petition having been held in Milwaukee, Wisconsin, on September 15, 1972, before the full Commission, during the course of which the Milwaukee Teachers Education Association and the International Union of Operating Engineers Local No. 950 were permitted to intervene on their claim that the positions involved in the petition should be more appropriately included in bargaining units presently represented by said intervenors; and the Commission having considered the evidence and arguments of the parties, and being satisfied that a question has arisen concerning representation for certain employees of the Municipal Employer;


DIRECTED

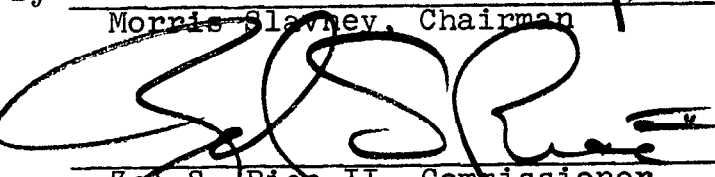
That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Commission within one hundred twenty (120) days from the date of this Directive in a collective bargaining unit consisting of all employees in the employ of the Milwaukee Board of School Directors, Department No. 888J, in

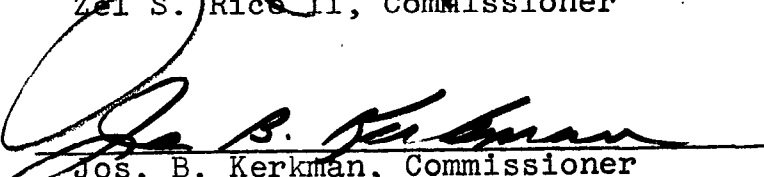
the classification of Per Diem Payroll (Social Center), who have been employed 26 or more weeks during the 12-month period from September 1, 1972, through August 31, 1973, and who worked 10 or more hours per week during said period, in the weeks involved they so worked, for the purpose of determining whether a majority of such employes voting desire to be represented by District Council 48, AFSCME, AFL-CIO, for the purposes of collective bargaining on questions of wages, hours and conditions of employment with the Milwaukee Board of School Directors.

Given under our hands and seal at the City of Madison, Wisconsin, this *3rd* day of August, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

In its petition District Council 48, AFSCME, AFL-CIO, hereinafter referred to as AFSCME, requested an election among "all part time and full time hourly employees in the classified service employed by the Milwaukee Board of School Directors excluding all clerical and all represented employees. (Including Ball Attendants, Field Attendants, Playleaders, Social Center Attendants, Census Takers, Extra Curriculars, Truck Drivers [outside of Purchasing Dept.] and certain non-represented Aides.)" During the course of the hearing a stipulation was reached with regard to the bargaining unit involved and as to the period of eligibility for the purposes of the election. The year period agreed upon by AFSCME and the Municipal Employer was September 1, 1971, through August 31, 1972; however, since almost one year has elapsed since the conduct of the hearing, the Commission has deemed it advisable, in order to permit present employees, who otherwise qualify, to participate in the election, by altering the stipulation to reflect the 12-month period from September 1, 1972, to August 31, 1973.

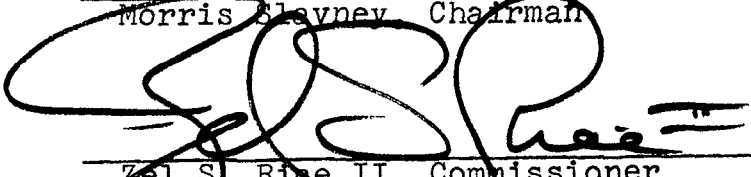
Inasmuch as the Municipal Employer indicated that it would take some time to prepare the eligibility list, for the reason that it must be done on a manual basis rather than through a computer, the Commission has directed that the election be conducted within 120 days from the date of this Directive in order to provide the Municipal Employer with an opportunity to furnish an accurate eligibility list to the Commission and the Union prior to the conduct of the election.

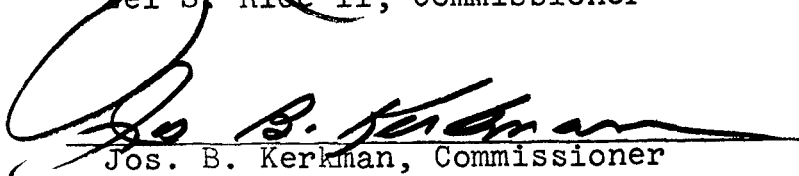
Dated at Madison, Wisconsin, this 3rd day of August, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slayney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner