

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

MILWAUKEE COUNTY

Case LV
No. 16954 ME-960
Decision No. 12098

Mr. Patrick J. Foster, Assistant Corporation Counsel, appearing on behalf of the Municipal Employer.

Milwaukee Building and Construction Trades Council 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 Milwaukee County; and a hearing on such petition having been conducted at Milwaukee, Wisconsin, on August 9, 1973, before George R. Fleischli, Hearing Officer; and the Commission having considered the evidence and being satisfied that a question has arisen concerning representation for certain employes of Milwaukee County;

DIRECTED

That an election by mail ballot shall 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 craft employees of Milwaukee County working as carpenters, electrical workers, asbestos workers, steamfitters, plumbers, cement finishers, painters, bricklayers, elevator constructors, plasterers and sheet metal workers, but excluding supervisory, managerial, executive, confidential and all other employees, who were employed by the Municipal Employer on August 9, 1973, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employees desire to be represented by Milwaukee Building and Construction Trades Council AFL-CIO for the purposes of collective bargaining with Milwaukee County on questions of wages, hours and conditions of employment.

Given under our hands and seal at the
City of Madison, Wisconsin, this 15th
day of August, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

~~Morris Slavney, Chairman~~

Zel S. Rice II, Commissioner

Jos. B. Kerkman, Commissioner

No. 12098


MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

At the hearing the Municipal Employer and the Petitioner were able to stipulate as to the appropriate bargaining unit but were unable to agree on the question of whether certain positions, namely, Carpenters, Foreman, Electrical Mechanic Foreman, Painter Foreman, Plumber Foreman and Steamfitter Foreman, were supervisory positions. The Municipal Employer contends that said positions are supervisory and the Petitioner contends that the occupants of said positions perform duties commonly performed by "working foremen" or "leadmen". Because neither party felt that a determination of the alleged supervisory status of these positions was necessary at this time it was stipulated that the seven occupants of said positions would be allowed to cast ballots which would be impounded and not counted unless the inclusion of their ballots might affect the outcome. In the event it appears that the inclusion or exclusion of the seven ballots will have an effect on the outcome, a hearing will be scheduled for the purpose of taking evidence on the question.

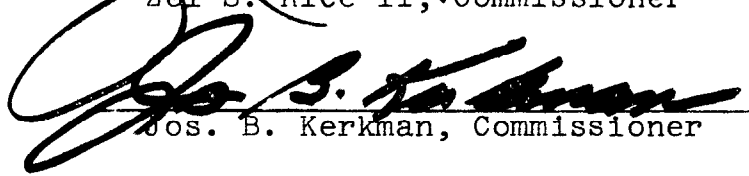
Dated at Madison, Wisconsin, this 15th day of August, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slattery, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner