

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

CITY OF CHIPPEWA FALLS

Case XXVIII
No. 17161 ME-980
Decision No. 12199

The above named Labor Organization having on September 17 and October 3, 1973, filed with the Wisconsin Employment Relations Commission a petition and an amended petition to clarify an existing bargaining unit; and the Commission having taken judicial notice of its records and having considered the facts alleged in both the petition and amended petition, and being satisfied that the petition and amended petition for clarification of the existing unit alleged facts which do not warrant proceeding in the matter;

ORDERED

That the petition and amended petition to clarify bargaining unit filed in the instant matter be, and the same hereby are, dismissed.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slavney, Chairman

~~Zel S. Rice II, Commissioner~~

MEMORANDUM ACCOMPANYING ORDER OF DISMISSAL

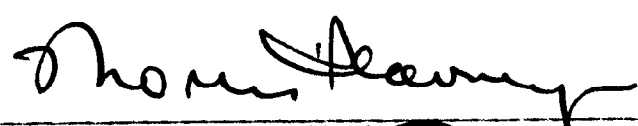
In its petition and amended petition requesting a clarification of an existing bargaining unit, the Union requested the Commission to clarify a unit consisting of "all employes of the City of Chippewa Falls employed in its Street, Waste Water and Water Departments," specifically to determine whether employees employed in the City Hall and Parks Departments should be included in said unit. The Commission's records disclose that following an election conducted by it, the Commission on January 7, 1963, certified the Union as the exclusive collective bargaining representative of all employees employed in the Street Department of the Municipal Employer. In its amended petition the Union alleges that subsequently the Municipal Employer voluntarily recognized the Union as the representative of all of its Water and Waste Water Department employees, and that there presently exists a collective bargaining agreement, in effect through December 1974, covering the wages, hours and working conditions of employees in the Street, Waste Water and Water Departments of the Municipal Employer.

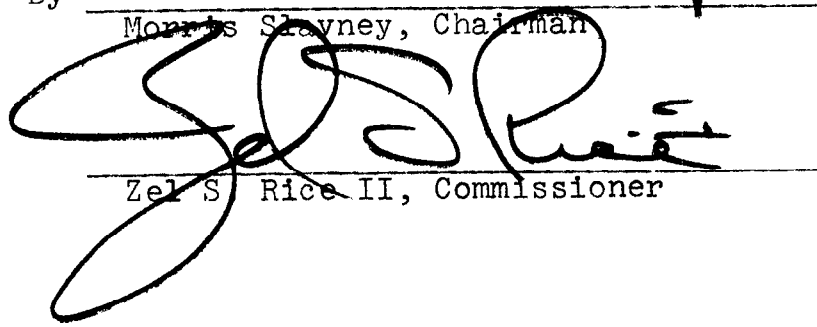
It is patently clear that neither City Hall nor Parks Department employees can be included in the existing recognized unit by a clarification of said unit, since neither City Hall nor Parks Department employees are employed in the Street, Waste Water and Water Departments. Under the circumstances, should the Union desire to represent the employees in the City Hall and Parks Departments, those employees should have an opportunity to determine for themselves whether they desire to be represented by the Union, either in separate units, or as an accretion to the unit covered by the present collective bargaining agreement. Should the employees vote to accrete to the existing unit in an election conducted by this agency, there may be a question as to whether the collective bargaining agreement presently in effect, and which does not expire until December 1974, should apply to said employees.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slayney, Chairman


Zel S. Rice II, Commissioner