

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION -

-----

In the Matter of the Petition of	:	
	:	
WISCONSIN COUNCIL OF COUNTY AND	:	
MUNICIPAL EMPLOYEES, AFSCME, AFL-CIO	:	Case XXIV
	:	No. 17045 ME-966
Involving Certain Employees of	:	Decision No. 12248-C
	:	
MANITOWOC COUNTY (PARK LAWN NURSING	:	
HOME)	:	

-----

ORDER SETTING ASIDE CERTIFICATION OF REPRESENTATIVES

Pursuant to a Direction previously issued by it, the Wisconsin Employment Relations Commission conducted an election on December 6, 1973, pursuant to Section 111.70, Wisconsin Statutes, among all regular full-time and regular part-time employees of Manitowoc County employed at its Park Lawn Home, Manitowoc, Wisconsin, excluding supervisors, professional employees, registered nurses, office employees and confidential employees, to determine whether said employees desired to be represented, for the purposes of collective bargaining, by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, or by United Nursing Home & Hospital Employees Federation, Local 222, or by no organization; that the results of the election indicated that a majority of the employees selected Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, as their collective bargaining representative, and in that regard, the Commission on December 28, 1973, so certified the results of said election; and that thereafter and on March 5, 1974, Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, in writing, having advised the Commission that it had been required to renounce its certification as the exclusive collective bargaining representative for the employees involved in order to comply with the AFL-CIO constitution; and the Commission being satisfied that the Certification of Representatives issued on December 28, 1973, in the above entitled matter be set aside;

NOW, THEREFORE, it is

ORDERED

That the Certification of Representatives issued by the Commission on December 28, 1973, be, and the same hereby is, set aside.

Given under our hands and seal at the City of Madison, Wisconsin, this 14th day of March, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney -  
 Morris Slavney, Chairman

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

Howard S. Bellman  
 Howard S. Bellman, Commissioner

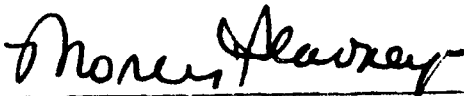
MEMORANDUM ACCOMPANYING  
ORDER SETTING ASIDE CERTIFICATION OF REPRESENTATIVES

The instant election proceeding was initiated by a petition filed on July 30, 1973, by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, hereinafter referred to as AFSCME. Prior to the hearing and on September 10, 1973, Mr. George Meany, President, AFL-CIO, advised the Commission that Service Employees International Union had filed a complaint with his office with respect to the action of AFSCME in seeking to represent the employees of the Employer involved, and in said communication Mr. Meany requested the Commission to hold the matter in abeyance in order to give the AFL-CIO an opportunity to settle the jurisdictional dispute existing between AFSCME and Service Employees International Union. On September 14, 1973, the Commission, in writing, advised Mr. Meany that the existing collective bargaining representative of the employees involved was an independent organization known as United Nursing Home & Hospital Employees Federation, Local 222, which organization had been certified as the collective bargaining representative in a previous election conducted by the Commission, in which election Service Employees International Union was also involved. The Commission further advised Mr. Meany that hearing in the matter had been postponed at the request of AFSCME and the Employer because of the possibility of the parties entering into a stipulation for an election. On October 26, 1973, the Commission received a stipulation for an election among the employees involved, such stipulation being executed by representatives of the Employer, United Nursing Home & Hospital Employees Federation, Local 222, and AFSCME. Thereafter the Commission issued its Direction of Election. The election was held on December 6, 1973, wherein of 75 of 87 eligible employees voting, 73 cast ballots in favor of AFSCME. No ballots were cast for United Nursing Home & Hospital Employees Federation, Local 222, while two ballots were cast against representation. On December 28, 1973, the Commission issued its Certification wherein AFSCME was certified as the collective bargaining representative of the employees involved. On March 6, 1974, the Commission received a communication from a representative of AFSCME indicating that it was required to renounce the Certification in order to comply with Article XX of the AFL-CIO constitution, and as a result the Commission is today setting aside the Certification of the results of the election.

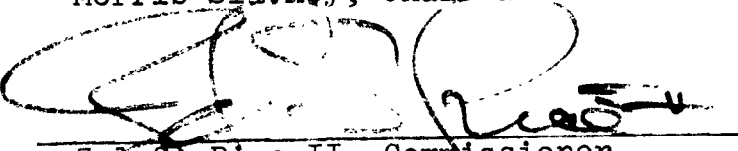
Dated at Madison, Wisconsin, this 14th day of March, 1974.


WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By



Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner

  
Howard S. Bellman, Commissioner