

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of	:	
	:	
VERNON MEMORIAL EMPLOYEES UNION,	:	
LOCAL 1667-A, WCCME, AFSCME, AFL-CIO	:	
	:	
For a Referendum on the Question	:	Case IV
of an All-Union Agreement between	:	No. 17197 R-5551
	:	Decision No. 12348-A
VERNON MEMORIAL HOSPITAL	:	
Viroqua, Wisconsin, Employer	:	
	:	
and VERNON MEMORIAL EMPLOYEES UNION,	:	
LOCAL 1667-A, WCCME, AFSCME, AFL-CIO,	:	
Union	:	
	:	
	:	

ORDER DISMISSING PETITION WITH PREJUDICE AND
SETTING ASIDE DIRECTION OF REFERENDUM

The Wisconsin Employment Relations Commission, heretofore on December 18, 1973, having issued a Direction of Referendum in the above entitled matter wherein it directed that a referendum be conducted among all regular full-time and regular part-time employees of Vernon Memorial Hospital, but excluding supervisors, professional employees, confidential clerical employees, licensed practical nurses, registered X-ray technicians and department heads of Medicare, WMA and insurance, billing machine operation, pricing and charge procedures, credit and accounts receivable, and payroll, to determine whether the required number of such employees favored an all-union agreement between said Employer and Vernon Memorial Employees Union, Local 1667-A, WCCME, AFSCME, AFL-CIO; and prior to any further action by the Commission, said Labor Organization, in writing, on February 1, 1974, having requested to withdraw its petition without prejudice; and on February 12, 1974, said Employer, by its Counsel, having advised that it had no objection to the withdrawal of the petition; and the Commission being satisfied that the request to withdraw the petition be granted and further being satisfied that the petition should be dismissed with prejudice and that the Direction of Referendum be set aside;

NOW, THEREFORE, it is

ORDERED

That the petition filed herein be, and the same hereby is, dismissed with prejudice to the extent that the Commission will not entertain a petition for referendum among the employees involved herein for a period of one year from the date hereof; and it is

further ordered that the Direction of Referendum issue herein on December 18, 1973, be, and the same hereby is, set aside.

Given under our hands and seal at the City of Madison, Wisconsin, this 25th day of February, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slayney
Morris Slayney, Chairman

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

Howard S. Bellman
Howard S. Bellman, Commissioner

MEMORANDUM ACCOMPANYING ORDER DISMISSING PETITION
WITH PREJUDICE AND SETTING ASIDE DIRECTION OF REFERENDUM

Petition initiating the instant matter was filed on September 27, 1973. The hearing thereon was held on November 15, 1973, and on December 18, 1973 the Commission directed the referendum. Prior to any further action by the Commission, as indicated in the preface of this Order, the Union on February 1, 1974, requested to withdraw its petition without prejudice. The Employer indicated that it had no objection to the Union's request.

The Commission is granting the request to withdraw the petition and as a result it has set aside the Direction of Referendum. However, it is denying the request of the Union that it be dismissed "without prejudice", for the reason that the Commission concludes that it would be an abuse of the Commission's processes to dismiss the petition without prejudice after proceeding to a hearing on the petition and the issuance of a direction.

We are, therefore, dismissing the petition with prejudice to the extent that the Commission will not entertain another petition for a referendum among the employes involved for a period of one year from the date hereof.

Dated at Madison, Wisconsin this 25th day of February, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

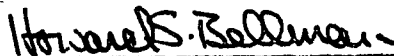
By



Morris Slavney, Chairman



Zel S. Rice II, Commissioner



Howard S. Bellman, Commissioner