

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of
RIVER FALLS EDUCATION ASSOCIATION
Involving Certain Employees of
JOINT SCHOOL DISTRICT NO. 1,
CITY OF RIVER FALLS, ET AL.
- - - - -

Case I
No. 17544 ME-1015
Decision No. 12688-A

ORDER SETTING ASIDE DIRECTION
OF ELECTION AND DISMISSING PETITION

River Falls Education Association, having on January 10, 1974, petitioned the Wisconsin Employment Relations Commission to conduct a representation election pursuant to the Municipal Employment Relations Act among regular part-time teaching employees employed by Joint School District No. 1, City of River Falls, et al., and on May 9, 1974, the Commission having issued a Direction of Election 1/ to determine whether said employees desired to accrete to a voluntarily recognized unit of full-time teaching employees represented by the Petitioner; and that prior to the date set for conduct of said election, the Commission having suspended conduct thereof because of a complaint of prohibited practices which was subsequently filed; and prior to any further action with respect to the petition, the Petitioner having, on June 6, 1975, filed a written request to withdraw said petition; and the Commission, being fully advised in the premises, and being satisfied that the Direction of Election issued herein be set aside and that the petition be dismissed;

NOW, THEREFORE, it is


ORDERED

That the Direction of Election be, and the same hereby is, set aside; and that the petition filed herein be, and the same hereby is, dismissed.

Given under our hands and seal at the
City of Madison, Wisconsin this 14th
day of April, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By



Morris Slavney, Chairman



Herman Torosian, Commissioner

MEMORANDUM ACCOMPANYING ORDER SETTING ASIDE
DIRECTION OF ELECTION AND DISMISSING PETITION

Pursuant to a Direction of Election issued on May 9, 1974, a representation election was scheduled for May 23, 1974, to determine whether the part-time teaching employees employed by the School District desired to accrete to the voluntarily recognized unit of full-time teaching employees represented by the Association. Because of certain actions allegedly taken by the School District prior to the date set for the election, the election was postponed indefinitely. On May 24, 1974, the Association filed a complaint of prohibited practices, which was heard by an Examiner appointed by the Commission. On April 23, 1975, the Examiner issued his Findings of Fact, Conclusions of Law and Order (Decision No. 12754-A). Contrary to the Association's prayer for relief in that case, the Examiner, while finding that the School District committed certain prohibited practices, did not order the School District to recognize and bargain with the Association as the representative of its regular part-time teaching employees. The School District filed timely exceptions to the Examiner's decision, pursuant to Section 111.07(5) of the Wisconsin Statutes.

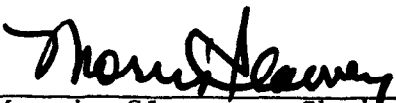
On June 6, 1975, the Association asked to withdraw its petition filed herein in favor of another petition filed by West Central Education Association - River Falls seeking an election in an overall unit of full-time and part-time teaching employees. The School District objected to said withdrawal.

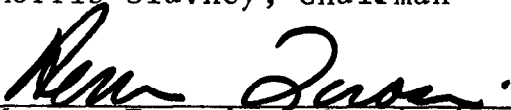
The Commission has not acted on the Association's request pending disposition of the School District's exceptions to the Examiner's Findings and Order. On March 26, 1976, the Commission issued an Order affirming the Examiner's Findings of Fact, Conclusions of Law and Order (Decision No. 12754-B). Inasmuch as the Commission has now affirmed the Examiner's decision in the matter, there would appear to be no reason to withhold acting on the Association's request to withdraw its petition herein. Consequently, based on said request, the Commission's Order directing the election has been set aside and the petition has been dismissed.

Dated at Madison, Wisconsin this 14th day of April, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Herman Torosian, Commissioner