

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of  
LOIS E. COENEN  
Involving Certain Employees of  
THE CITY OF APPLETON  
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Case LXII  
No. 18046 ME-1079  
Decision No. 12917

DIRECTION OF ELECTION

Lois E. Coenen, an employe of the City of Appleton, having petitioned the Wisconsin Employment Relations Commission to conduct an election among certain employes of the City of Appleton, currently represented by Local 73, Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO; and hearing on said petition having been scheduled at Appleton, Wisconsin on July 18, 1974; and General Drivers and Dairy Employees Union Local 563 having indicated its intent to intervene on its claim that said employes have indicated a desire to be represented by said organization; and Local 73, Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO having failed to appear at the scheduled hearing or otherwise evidence intent to have its name placed on the ballot in any election conducted among said employes; and the Commission being satisfied that a question has arisen concerning representation of said employes of the above named Municipal Employer,

NOW, THEREFORE, it is

DIRECTED

That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Commission within thirty (30) days from the date of this Directive in the collective bargaining unit consisting of all regular City Hall employes, and employes in conjunction thereto, employed by the City of Appleton, Wisconsin including the chief building custodian, building custodian, and janitress; but excluding craft or professional employes, confidential employes, supervisors and executives, and also excluding employes of the Parking Commission, Engineering Division-Department of Public Works and Office of Assessor who were employed by the Municipal Employer on August 7, 1974, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employes desire to be represented by General Drivers and Dairy Employees Union Local 563 for the purpose of collective bargaining with the City of Appleton, Wisconsin, on question of wages, hours, and conditions of employment.

Given under our hands and seal at the  
City of Madison, Wisconsin this 7th  
day of August, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavovex  
Morris Slavovex, Chairman  
Zel S. Rice II  
Zel S. Rice II, Commissioner  
Howard Bellman  
Howard Bellman, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

The petition herein was filed by Lois E. Coenen, an employe, on June 5, 1974. The petition indicated that the Petitioner sought an election because the employes currently represented by Local 73 had expressed a desire to be represented by the Intervenor, Local 563. Because Local 73 is the certified bargaining representative, the Commission requested that the Petitioner support her petition with a 30 percent showing of interest. Upon determining that the showing of interest was sufficient, the matter was set for hearing on July 18, 1974.

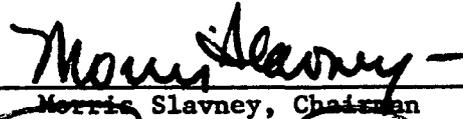
Local 73 did not appear at the time and place appointed for hearing. Because the Hearing Officer was inadvertently late for the hearing, and a telephone conversation with representatives of the City and Intervenor indicated that no issues of substance would be raised at the hearing by the Petitioner, Intervenor, or Municipal Employer 1/, the hearing was canceled. Thereafter, Local 73 was given the opportunity to indicate in writing if it desired to have its name appear on the ballot and Local 73 declined the opportunity to do so.

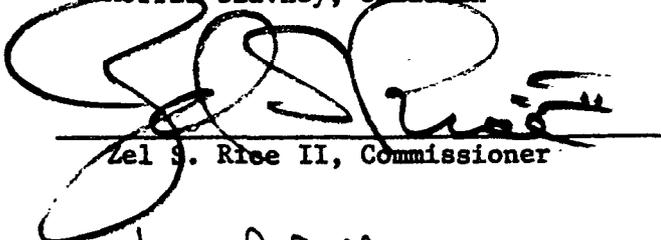
Therefore, the Commission has directed an election in the petitioned-for bargaining unit 2/ to determine whether or not a majority of said employes desire to be represented by Local 563.

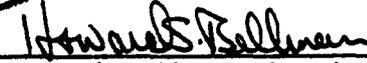
Dated at Madison, Wisconsin this 7th day of August, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Zel S. Rhee II, Commissioner

  
Howard Bellman, Commissioner

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- 1/ One employe working in the classification of Sealer of Weights and Measures was at the hearing and indicated a desire to be excluded as a professional employe. It was agreed by the Petitioner, Municipal Employer, and Intervenor that said employe's ballot would be challenged by the Commission and that a determination of his alleged professional status would be made after the election, if the parties were unable to agree on his status.
- 2/ The bargaining unit herein represents a merger of two units found in Decision No. 8431-B (8/68). Thus, consolidation comports with the history of negotiations between the Municipal Employer and Local 73.