

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

WISCONSIN COUNCIL OF COUNTY AND  
MUNICIPAL EMPLOYEES LOCAL 560,  
AFSCME, AFL-CIO

Case XI  
No. 18711 ME-1146  
Decision No. 13329-A

Involving Certain Employes of

EAU CLAIRE JOINT SCHOOL DISTRICT NO. 5

ORDER CLARIFYING BARGAINING UNIT AND  
CERTIFICATION OF RESULTS OF ELECTION

Pursuant to a Direction of Election issued by it, the Wisconsin Employment Relations Commission having, on April 9, 1975, conducted an election among all regular full-time and regular part-time employes of Eau Claire Joint School District No. 5 employed in the school lunch program, excluding School Lunch Supervisor, First Cooks, substitute and temporary employes, and all other employes of the Municipal Employer. The results of the election was as follows:

- 1. Total number claimed eligible to vote ..... 66
- 2. Total ballots cast ..... 57
- 3. Total ballots challenged ..... 5
- 4. Total valid ballots counted ..... 52
- 5. Ballots cast in favor of Wisconsin Council of  
County and Municipal Employees, Local 560,  
AFSCME, AFL-CIO ..... 36
- 6. Ballots cast against Wisconsin Council of County  
and Municipal Employees, Local 560, AFSCME,  
AFL-CIO ..... 16

That four of the challenged ballots were cast by employes classified as Laundry Worker and were challenged by the Commission's agent for the reason that said employes were not included on the official eligibility list; and that the remaining challenged ballot was cast by an employe occupying the classification of Lunchroom Supervisor on the same basis; that prior to any further action by the Commission, and on April 18, 1975, the Municipal Employer and the above named Labor Organization, having executed and filed a stipulation with the Commission, wherein they agreed that the classification of Laundry Worker should be included in the appropriate unit and further that the classification of Lunchroom Supervisor 1/ should be excluded from the unit; and the Commission being fully advised in the premises and being satisfied that the description of the bargaining unit should be clarified to specifically set forth the inclusion in the unit of the classification of Laundry Worker and further to

1/ Approximately 20 individuals occupy said classification.

specifically exclude, from the unit, the classification of Lunchroom Supervisor, and further that certification of the results of the election should issue;

NOW, THEREFORE, it is

ORDERED

1. That the appropriate collective bargaining unit involved herein is deemed as follows:

"All regular full-time and regular part-time employes of Eau Claire Joint School District No. 5 employed in the school lunch program, including laundry worker, but excluding School Lunch Supervisor, First Cooks, Lunchroom Supervisors, substitute and temporary employes, and all other employes of the Municipal Employer."

2. IT IS HEREBY CERTIFIED that Wisconsin Council of County and Municipal Employees Local 560, AFSCME, AFL-CIO, has been selected by a majority of the eligible employes of Eau Claire Joint School District No. 5 who voted at said election in the collective bargaining unit consisting of all regular full-time and regular part-time employes of Eau Claire Joint School District No. 5 employed in the school lunch program, including laundry worker, but excluding School Lunch Supervisor, First Cooks, lunchroom supervisors, substitute and temporary employes, and all other employes of the Municipal Employer, as their representative; and that pursuant to the provisions of Section 111.70, Wisconsin Statutes, said Union is the exclusive bargaining representative of all such employes for the purposes of collective bargaining with the above named Municipal Employer, or its lawfully authorized representatives, on questions of wages, hours and conditions of employment.

Given under our hands and seal at the City of Madison, Wisconsin this *6th* day of May, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By *Morris Slavney*  
Morris Slavney, Chairman

*Howard S. Bellman*  
Howard S. Bellman, Commissioner

*Herman Torosian*  
Herman Torosian, Commissioner

MEMORANDUM ACCOMPANYING ORDER CLARIFYING BARGAINING  
UNIT AND CERTIFICATION OF RESULTS OF ELECTION

The stipulation filed by the parties requests the inclusion of Laundry Workers in the unit. The stipulation discloses that one Laundry Worker is employed in each of the Municipal Employer's four separate kitchens. Their duties involve the laundering of clothing and other items worn and utilized by Cooks employed in the school lunch program. Thus, there is an established community of interest between the Laundry Workers and other employes performing duties in the school lunch program. We accept the stipulation of the parties, and we have specifically included the Laundry Workers in the unit. Since the ballots of the Laundry Workers would not affect the results of the election, they need not be opened and, therefore, will remain sealed. In their stipulation the parties agreed that the Lunchroom Supervisors who oversee the conduct of students in the lunch rooms should be excluded from the unit. We accept such stipulation and, therefore, the challenged ballot cast by one Lunchroom Supervisor is sustained.

Dated at Madison, Wisconsin this *6th* day of May, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By *Morris Slavney*  
Morris Slavney, Chairman

*Howard S. Bellman*  
Howard S. Bellman, Commissioner

*Herman Torosian*  
Herman Torosian, Commissioner