



MEMORANDUM ACCOMPANYING  
ORDER CLARIFYING BARGAINING UNIT

The instant proceeding was initiated by the petition of Wood County, requesting the Wisconsin Employment Relations Commission to issue an order clarifying a certified bargaining unit consisting of certain employees of Wood County. The positions in dispute are that of Volunteer Services Coordinator and Administrative Assistant I, which the Union, contrary to the Municipal Employer, contends should be included in the existing collective bargaining unit. The unit description, as it appears in the parties' 1975 collective bargaining agreement, is set forth as:

"all regular full-time and regular part-time employees of the Wood County Courthouse and annexes including all regular full-time and regular part-time professional and clerical employees of the Department of Social Services, but excluding elected officials, department heads, supervisory personnel, custodial and maintenance personnel, law enforcement personnel, and registered nurses."

Volunteer Services Coordinator

The Volunteer Services Coordinator is a paid full-time employee employed in the Department of Social Services. The Coordinator recruits, interviews and selects unpaid volunteers to perform work for the County and has the authority to terminate a volunteer worker who performs unsatisfactory. The Coordinator develops programs and trains the volunteers to work in them. The Coordinator provides ongoing direction of all volunteer activities and works closely with other staff personnel of the Municipal Employer, including those at the management level. The Coordinator interprets agency program and policy to the community, and cooperates with other agencies in promoting and developing resources. The Municipal Employer prescribes that the desirable training and experience for this position is graduation from a four-year college and previous involvement, both paid and unpaid, in community organizations. The Coordinator schedules and assigns the volunteers, but at present has no direct supervisory authority over employees of the Municipal Employer. The Municipal Employer in the near future intends to hire two Social Service Aids who would work under and be responsible to the Coordinator. However, the Commission has held that potential supervisory authority and duties does not warrant the conclusion that employee involved is a supervisor. 2/ Should the Municipal Employer proceed with the appointment of two or more Social Service Aids, and should the Coordinator be authorized to exercise supervisory authority over such subordinates, a different fact situation would be presented. While the functions presently performed by the Coordinator as to the volunteers appears to be "supervisory" in nature, the statutory definition set forth in Section 111.70(1)(o)(1), Wisconsin Statutes, clearly contemplates the exercise of such functions and authority be exercised over "employees". The Commission has held that a Volunteer Coordinator who only supervises individuals who volunteer their services, is not a supervisor, within the meaning of Section 111.70(1)(o) of the Municipal Employment Relations Act. 3/ Therefore, the Commission concludes that the Volunteer Services Coordinator is included in the bargaining unit.

Administrative Assistant I

Helen Emmes occupies the position of Administrative Assistant I in the Department of Social Services. She has been employed by the Municipal

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2/ Oneida County (12247) 11/73.

3/ St. Croix County (11179) 7/72.

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Employer since September 1, 1962. On March 5, 1970 the Wood County Board of Social Services appointed Emmes to act as Deputy to the Director, in order that she could sign vouchers and other legal papers in the Director's absence. Emmes has advanced since that time from Clerk III to the present Administrative I classification.

Examples of work performed by Emmes as noted in the County Merit System Classification Plan Chapter 1-D-5 are as follows:

"Serves as the chief clerical employe or office manager, and in that capacity may supervise a clerical and stenographic staff, [the bookkeeping section only];

Plans and is responsible for the flow of work; assigns and checks work; and instructs the staff in proper office procedures;

As assigned prepared budgets of estimated expenditures, county board reports, and prepares correspondence and reports;

Is responsible for the record work involved in the purchase and issuance of supplies and equipment necessary for the operation of the agency, and the maintenance of a perpetual inventory record;

Is responsible for the clerical work in the handling of property transactions, including verification of property values, filing and disposition of liens, and property management;

Is responsible for the agency's fiscal procedures; including the preparation of payrolls and related financial and statistical reports."

Her job duties are further clarified as noted on her job description:

"Prepare or supervise the preparation of:

- Monthly assistance payrolls
- Salary payrolls
- Statistical reports
- Claims for reimbursement
- Refunds and refund rolls
- Administrative payroll
- Supplemental payrolls

Maintain ledgers on disbursements, receipts and non-resident relief and balance with County Clerk monthly.

Supervise the preparation of general assistance bills and maintaining of ledger accounts on individual cases.

Voucher all bills for payment, including general assistance and administration, also write checks as needed.

Maintain and be responsible for petty cash account.

Assist Director when necessary in preparation of reports and annual budget.

Prepare special reports or studies as requested.

Purchase and maintain office supplies"

Emmes's position of Administrative Assistant I was included among the eligibles in the election conducted by the Commission in 1969. 4/ By her own testimony Emmes stated the nature of her duties have not changed since April 1970. Although Emmes has two employees (one permanent, and the other limited term) working under her, she admits that her supervision is over their activity or work, rather than the employees themselves. Emmes testified that she has the power to discipline, but she has never discharged or disciplined an employee, merely "corrected" them. Her salary is approximately \$30 a month less than several supervisory personnel with whom she compares herself. In addition the Municipal Employer's organizational chart indicates that the Administrative Assistant I position to be below that of Administrative Assistant II, which is at the same level as two supervisory positions; Clerk IV and Food Stamps Supervisor. The Municipal Employer also admitted that the Administrative Assistant II which is not presently filled, is a position of higher level, to which Emmes could advance and which entails greater experience and responsibilities. If the Municipal Employer ever proceeds with such an advancement, with an actual expansion and addition to Emmes's duties of a supervisory nature, a different fact situation would be presented.

Emmes participates in the hiring process although final authorization comes from the Director and County Board. She participates in staff meetings. She trains employees in the bookkeeping section. Based on the above, the Commission finds that Helen Emmes as Administrative Assistant I has only minor supervisory duties which are primarily clerical in nature. Therefore, the Commission concludes that the Administrative Assistant I position is not a supervisor within the meaning of the Statute and should remain as part of the bargaining unit.

Dated at Madison, Wisconsin, this 27th day of June, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thomas Slavney  
Morris Slavney, Chairman

Howard S. Bellman  
Howard S. Bellman, Commissioner

Herman Torosian  
Herman Torosian, Commissioner