

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

MRS. JANICE L. MATHWIG

For a Referendum on the Question
of an All-Union Agreement between

WISCONSIN SPORTSERVICE, INC.

and HOTEL, MOTEL, RESTAURANT EMPLOYEES
AND BARTENDERS UNION, LOCAL 122,
AFL-CIO

Case III

No. 19167 K-5773

Decision No. 13911

DIRECTION OF REFERENDUM

Mrs. Janice L. Mathwig having petitioned the Wisconsin Employment Relations Commission to conduct a referendum among certain employees of the above-named Employer; 1/ and a Stipulation for Referendum having been executed by the Petitioner, the Employer and the Union;

NOW, THEREFORE, it is

DIRECTED

That a referendum by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Commission in the collective bargaining unit consisting of all regular employees employed by Wisconsin Sportservice, Inc. at Milwaukee County Stadium in the classifications of boy vendor, beer vendor, beer handler (porter and commissary), stand girl, bartender and commissary employee but excluding supervisors, casual employees and all other employees, except such employees as may prior to the referendum quit their employment or be discharged for cause, for the purpose of determining whether or not the required number of such employees favor an "All-Union Agreement" between the Employer and the Union named above.

Given under our hands and seal at the
City of Madison, Wisconsin this 29th
day of August, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

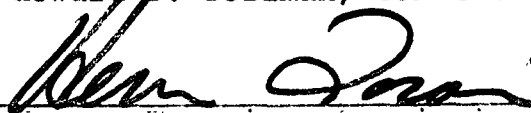
By



Morris Slavney, Chairman



Howard S. Bellman, Commissioner



Herman Torosian, Commissioner

1/ The Petition as filed misnamed the Employer, but the Employer's correct name was set forth on the Stipulation referred to herein.

MEMORANDUM ACCOMPANYING DIRECTION OF REFERENDUM

The Stipulation for Referendum filed herein did not include an agreed-upon list of the names of eligible employees. Instead, it contained agreed-upon eligibility criteria and a provision that an eligibility list would be drawn by the Employer utilizing the date of Direction herein as the eligibility date, which list would be subject to addition or deletion by challenge on the date of the balloting. The Commission finds such a procedure unsatisfactory since thereunder the number of eligibles could not be approximated reliably for the purposes of tallying of results. Therefore the following procedure shall be followed herein:

1. Within ten days of the date of this Direction the Employer shall serve the Commission, the Union and the Petitioner with copies of a proposed eligibility list drawn in accordance with the criteria set forth in the Stipulation.

2. Within twenty days from the date of this Direction, each of the parties shall submit in writing to the Commission and to the other parties any additions or deletions which they propose with respect to such list and the basis for each such addition or deletion.

3. Upon receipt of such proposed additions or deletions, the Commission shall, if necessary, determine whether a further hearing is necessary to take evidence with regard to the eligibility of employees to vote in the referendum, or whether the individuals in dispute will be permitted to vote by challenged ballot.

Dated at Madison, Wisconsin this 29th day of August, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Howard S. Bellman
Howard S. Bellman, Commissioner

Herman Torosian
Herman Torosian, Commissioner