

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of  
NORTHWEST UNITED EDUCATORS  
Involving Certain Employees of  
COOPERATIVE EDUCATIONAL SERVICE  
AGENCY NO. 4  
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Case III  
No. 19600 ME-1240  
Decision No. 14177

Appearances:

Mr. James T. Guckenberg, appearing on behalf of the Petitioner.  
Mr. Edward Coe, Attorney at Law, appearing on behalf of the  
Municipal Employer.

DIRECTION OF ELECTION

Northwest United Educators having on September 19, 1975, filed a petition with the Wisconsin Employment Relations Commission requesting the Commission to conduct an election among certain employees of Cooperative Educational Service Agency No. 4, to determine whether such employees desired to be represented for purposes of collective bargaining; and hearing in the matter having been held at Barron, Wisconsin on October 8, 1975, by Robert M. McCormick, Hearing Officer being present, and the Commission having considered the evidence and arguments of the parties and being satisfied that a question has arisen concerning representation for certain employees 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 sixty (60) days from the date of this Directive in the collective bargaining unit consisting of all regular full-time and regular part-time non-professional employees in the employ of Cooperative Educational Service Agency No. 4, excluding coordinator, supervisors, confidential employees and professional employees, who were employed by said Municipal Employer on December 10, 1975, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether such employees desire to be represented by Northwest United Educators for the purposes of collective bargaining with the Municipal Employer on questions of wages, hours and conditions of employment.

Given under our hands and seal at the  
City of Madison, Wisconsin this 11th  
day of December, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thomas Slavney  
Morris Slavney, Chairman  
Herman Torosian  
Herman Torosian, Commissioner

No. 14177

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

At outset of hearing, the Municipal Employer, by counsel, submitted a list of claimed eligibles which included the names of eight employes, Joyce Moriak, Janet Bortels, Shirley Jangerberg, Ruth Kittleson, Jerry McGinius, Alice Swanson, Steve Harrington and Bonnie Wistroill, which the Municipal Employer contended were employed by a separate entity, Northwest Joint Education Cooperative and which the Municipal Employer did not employ.

The Petitioner argues that the Municipal Employer advanced the same argument in an election proceeding before the Commission affecting professionals in the winter of 1974, and then abandoned said contention and honored the Commission's Certification of Representatives. 1/

The parties further indicated at hearing that they were not prepared to litigate the matter of the relationship between Northwest Joint Education Cooperative and the Municipal Employer; and that no representative of the aforementioned entity was present to make a record as to the alleged employee-employer relationship between Northwest Joint Education Cooperative and the eight aforementioned non-professional employes.

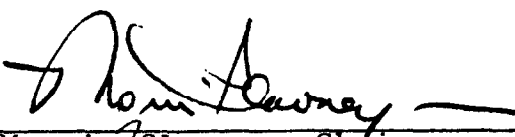
The parties stipulated: that the Commission should direct an election and conduct same among employes in the stipulated bargaining unit and include on its official eligibility list the names of the eight employes, supra; that in the event any of said employes presented themselves to vote, that the Commission-agent take their ballots on challenge by the Municipal Employer; and that only in the event such challenged ballots should affect the results of the vote, should the Commission schedule a hearing on the challenged ballots and determine which entity is in fact the employer of such employes.

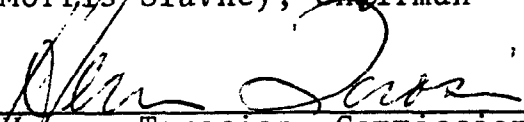
The Commission shall conduct the election under said condition and will construct the eligibility list accordingly and so instruct its agent conducting the balloting.

Dated at Madison, Wisconsin this 11th day of December, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Herman Torosian, Commissioner

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1/ See CESA No. 4 (No. 12304 and No. 12304-A, 2/74 and 3/74).