

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of

MADISON INDEPENDENT WORKERS UNION

For Determination of Bargaining  
Representative for Certain Employees of

LA CREPERIE LTD.  
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Case I  
No. 19770 E-2905  
Decision No. 14178

Appearances:

Mr. Lester A. Pines, Attorney at Law, appearing on behalf of  
the Petitioner.

Mr. John F. Smith, President, appearing on behalf of the Employer.

DIRECTION OF ELECTION

A petition having been filed with the Wisconsin Employment Relations Commission on November 5, 1975, by Madison Independent Workers Union requesting that an election be conducted among certain employees of La Creperie Ltd., Madison, Wisconsin, to determine whether such employees desire to be represented by Madison Independent Workers Union for the purposes of collective bargaining; and a hearing regarding said petition having been held in Madison, Wisconsin, on December 8, 1975, Kay Hutchison, Hearing Officer, having been present; and the Commission, being fully advised in the premises 1/, and being satisfied that a question of representation has arisen for certain employees of La Creperie, Ltd.;

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 of the date of this Directive within the collective bargaining unit consisting of all regular full-time and regular part-time employees of La Creperie, Ltd., Madison, Wisconsin, but excluding supervisory and managerial employees, who were employed on December 8, 1975, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employees desire to be represented for the purpose of collective bargaining by Madison Independent Workers Union.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slavney  
Morris Slavney, Chairman

Herman Torosian  
Herman Torosian, Commissioner

1/ The parties waived, in writing, the preparation of a transcript of the proceeding and the provisions of Section 227.12 of the Wisconsin Statutes.


MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

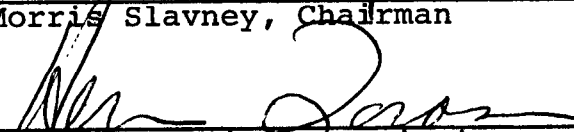
During the course of the hearing conducted in the instant proceeding, an issue arose with regard to the eligibility of two employes presently on lay-off. The Employer indicated that Nancy Goldstein and Wendy Schonberg had been temporarily laid off in September and November, 1975, respectively. However, the Employer stated that both individuals would be recalled as soon as suitable work was available.

Although Goldstein and Schonberg are not presently working, the fact that the Employer intends to recall them when work is available satisfies the Commission that said employes are eligible to vote in the representation election directed herein. 2/

Dated at Madison, Wisconsin, this 11<sup>th</sup> day of December, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
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Morris Slavney, Chairman

  
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Herman Torosian, Commissioner