

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of :
DISTRICT COUNCIL 48, AFSCME, AFL-CIO :
For Clarification of a Bargaining : Case LXX
Unit Consisting of Certain Employes of : No. 20318 ME-1308
MILWAUKEE BOARD OF SCHOOL DIRECTORS : Decision No. 14494-A

Appearances:

Mr. John Redlich, Staff Representative, appearing on behalf of the Petitioner.
Mr. Patrick B. McDonnell, Assistant City Attorney, appearing on behalf of the Municipal Employer.
Perry and First, Attorneys at Law, by Mr. Richard Perry, appearing on behalf of the Intervenor.

ORDER CLARIFYING BARGAINING UNIT

District Council 48, AFSCME, AFL-CIO, having filed a petition with the Wisconsin Employment Relations Commission on March 24, 1976 requesting that the Commission issue an Order clarifying a certified collective bargaining unit with respect to the inclusion or exclusion of the School Bookkeeper (Junior High School) position in the unit consisting of:

"all office, clerical and technical employes, including all persons in ranges 1 through 5 of schedule A of the clerical, office and technical employes' Pay Schedule and including Engineer - Radio TV, ETV Photographer, ETV Artist, Computer Programmer I, II and III, Systems Analyst, Systems Analyst Trainee, Machine Accounting Supervisor, Data Processing Specialist, and Buyer I and II, but excluding supervisory and confidential employes (including positions listed in Exhibit B), professional, certified, managerial, craft and all other employes of the Municipal Employer";

and hearing in the matter having been held on May 20, 1976 at Milwaukee, Wisconsin before Kay Hutchison, Hearing Officer, during the course of which the Milwaukee Teachers Education Association was permitted to intervene on its claim that the position involved in the petition should be included more appropriately in the certified collective bargaining unit presently represented by it, and which consists of:

"all school accountants employed by the Board of School Directors of the City of Milwaukee, excluding supervisors";

and the Commission having considered the evidence and arguments of the parties and being fully advised in the premises, makes and issues the following

ORDER

That the collective bargaining unit represented by the Intervenor should be, and the same hereby is, clarified to include the position of School Bookkeeper (Junior High School).

Given under our hands and seal at the City of Madison, Wisconsin this 9th day of December, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thomas Slavney
Morris Slavney, Chairman

Herman Torosian
Herman Torosian, Commissioner

Charles D. Hoojnstra
Charles D. Hoojnstra, Commissioner

MEMORANDUM ACCOMPANYING ORDER CLARIFYING BARGAINING UNIT

The Petitioner seeks to include the position of School Bookkeeper (Junior High School) in the clerical-technical bargaining unit, which it represents. The Intervenor believes said position should be included in the bargaining unit of accountants which it represents.

The Municipal Employer operates a school district containing one hundred twenty elementary schools, seventeen junior high schools and fifteen senior high schools. Both the junior and the senior high schools are considered secondary schools. School accountants are employed only at the senior high schools. At the time of the hearing, the first and only employe to occupy the position of School Bookkeeper (Junior High School) was working at the Edison Junior High School. Said employe, J. Zaks, was hired in March 1976 through a federal CETA program. Although Zaks is a college graduate and has taken the CPA examination, the Employer does not require a bachelor's degree for the bookkeeper position. A bachelor's degree is required for the position of School Accountant, although not all of the incumbents hold degrees since they were hired prior to the establishment of that requirement.

The School Accountant reports to the principal of his assigned high school and is responsible for certain financial activities at that school, such as the following: operating and managing the school bookstore, including the ordering of books and supplies, the processing of invoices, the issuance and return of books, the annual inventory, and the financial statements; maintaining records for funds of various student organizations and activities, including the receipt, deposit and disbursement of such funds; keeping records of and supervising the conduct of the school's physical inventory; and, coordinating the preparation of a tentative annual school budget, after conferring with the principal and department heads at his assigned school. While the Bookkeeper is involved in basically the same activities at the junior high school, some differences do exist. The Accountant may deal with forty to sixty different student activity and organization accounts compared to two or three such accounts for the Bookkeeper. Similarly, the volume of bookstore-related activities is smaller at the junior high school than at the senior high school. The senior high school budget involves larger amounts of money and is more complex than is the junior high school budget. The Accountant does have clerical assistance in varying weekly amounts dependent on the pupil enrollment at the individual schools, while the Bookkeeper does not have such assistance.

Prior to Zaks' employment, the bookstore and student activity funds at Edison Junior High School were handled by teachers, who were relieved from classroom teaching periods for those purposes, and the school budget preparation was supervised by the school principal.

The Director of Accounting provides professional supervision of, and assistance to, the Accountants and the Bookkeeper. Among the clerical-technical positions employed at said Director's office are the following: Accounting Trainee and Account Clerks I, II and III. One of the Account Clerks functions as a Tuition Clerk, which position processes tuition bills and receipts for non-resident students and maintains a tuition accounts receivable ledger. Another Account Clerk maintains accounts pertaining to payments made on construction and repair orders and contracts.

The Bookkeeper performs the same basic functions as are performed by the Accountants. The differences in duties between the two positions appear to be more of a quantitative, rather than qualitative nature, particularly in such areas as the bookstore and the student organizations funds. Although the Municipal Employer contends that the Bookkeeper's

involvement in the school budget preparation will involve less responsibility and discretion than is required of, and exercised by, the Accountants, the record reveals that all school budgets are prepared in accordance with standardized forms and instructions. Further, it is the School Principal who is responsible for preparation of the school's budget and who determines the amount of discretion and extent of involvement in such preparation by the Accountants. Inasmuch as the Bookkeeper has yet to be involved in the preparation of a budget, any projections concerning the level of his participation in that activity are speculative.

The Commission concludes that on the basis of the similarity of duties performed by the School Bookkeeper (Junior High School) and the school accountants employes in the District's high schools, said position is appropriately included in the unit of accountants, which is represented by the Intervenor.

Dated at Madison, Wisconsin this 9th day of December, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By *Morris Slavney*
Morris Slavney, Chairman

Herman Torosian
Herman Torosian, Commissioner

Charles D. Hoonstra
Charles D. Hoonstra, Commissioner