

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

CITY OF GREENFIELD (FIRE DEPARTMENT)

Decision No. 14529

Mulcahy & Wherry, Attorneys at Law, by Mr. Ronald Rutlin, appearing on behalf of the Municipal Employer.

Fire Fighters Local 1963, herein referred to as the Petitioner, having on December 18, 1975 filed with the Wisconsin Employment Relations Commission a petition requesting the Commission to conduct an election, pursuant to Section 111.70(4)(d) of the Municipal Employment Relations Act, in an alleged appropriate collective bargaining unit consisting of the Fire Dispatcher in the employ of the City of Greenfield, herein referred to as the Municipal Employer, to determine whether said employee desires to be represented by said Petitioner for the purposes of collective bargaining; and a hearing on such petition having been held at Milwaukee, Wisconsin 1/ on January 27, 1976, Stanley H. Michelstetter II, Hearing Officer, being present; and the Commission having considered the evidence and being fully advised in the premises, and being satisfied that the collective bargaining unit sought is an inappropriate unit for bargaining;

That the petition for election filed in the instant matter be, and the same hereby is dismissed.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Herman Torosian, Commissioner

No. 14529

MEMORANDUM ACCOMPANYING ORDER OF DISMISSAL

Prior to our decision in City of Greenfield (13590) 4/75, the Municipal Employer recognized the Petitioner as the representative of "Firefighters and Dispatchers, excluding the Fire Department Chief, Assistant Chief, the Captains. . . ." In that case, we held, inter alia, that the Fire Dispatcher was not a firefighter and, therefore, not eligible to be included in that unit. Petitioner filed the instant petition contending that the Fire Dispatcher should be considered a separate collective bargaining unit because the position has a higher level of responsibility than Police Clerk-Dispatchers and Switchboard-Typists. 2/ The Municipal Employer argues that the sought unit is inappropriate because the position bears a close community of interest with the Police Dispatchers in the clerical unit. It seeks to have the Fire Dispatcher included in the clerical unit. Although Milwaukee District Council 48, AFSCME, AFL-CIO received notice of the instant proceeding, it did not appear at the hearing herein and did not execute the waiver of transcript. 3/

The Fire Dispatcher is the sole dispatcher/clerical employe in the Municipal Employer's fire department (housed in a building separate from all other departments). She works Monday through Friday, 8:00 a.m. to 4:30 p.m., and in her absence firefighters perform the dispatching function. She receives four to six rescue and/or fire calls per day, obtains necessary information from the callers, sounds the station alarm, dispatches the appropriate type and number of units in accordance with a specific, pre-determined policy, calls in firefighters in accordance with established procedures and specific manning policies, alerts paid, on-call and off-duty firemen for possible duty, calls in assistance from surrounding localities in accordance with specific policies, monitors fire alarms from local buildings and provides information from a hazardous materials reference book to firefighters in the field. As her dispatching duties permit, she keeps the daily log of fire department staffing and activities, performs the filing, typing, correspondence and reports of the Chief and Assistant Chief (Fire Inspection), including inter-office memoranda, and monthly reports.

The clerical unit includes five Clerk-Dispatchers, eight Switchboard-Typists, one Secretary to the Chief and Captain, and one Court-Clerk. The Clerk-Dispatchers and Switchboard-Typists are responsible for a seven-day a week, 24 hour per day operation. Each works a rotating five days on, two days off, four days on, two days off schedule, averaging 38.6 hours per week. The Secretary and Court-Clerk work Monday through Friday, 40 hours per week with eight consecutive hours exclusive of unpaid lunch.

Clerk-Dispatchers answer approximately 92,000 calls per year for police assistance from the dispatching center of the new separate police building. They are responsible for answering 35 to 40 non-emergency telephone lines and 15 emergency telephone lines, operating the police

2/ Local 2, Milwaukee District Council 48, AFSCME, AFL-CIO is the voluntarily recognized representative of "all regular full-time and regular part-time clerical employes of the City, excluding Deputy City Clerk, Secretary to the Director of Public Works, and all supervisory and confidential and managerial employes consisting of the Secretary to the Director of Public Works and the Deputy Chief Clerk." City of Greenfield (12947) 8/74.

3/ See footnote 1.

teletype, monitoring the Municipal Employer's fire and highway department radios, City of Milwaukee, County Sheriff and point-to-point State Police radios. Clerk-Dispatchers receiving calls for police services obtain pertinent information, determine the number and types of units to be sent to the scene, dispatch them to the scene, call for additional units when necessary or aid from surrounding localities when necessary. Excess Clerk-Dispatchers perform Switchboard-Typist functions.

Switchboard-Typists fill in for Clerk-Dispatchers while on break, handle all public contact at the front window including receiving in-person requests for police services, fine payments, stipulations and stays for the municipal court, master index filing, filing of routine complaints and search and supervision of female prisoners. They keep a daily log of necessary police services, another log of calls for police assistance and dispositions thereof, a time book of police force staffing, type reports for detective personnel and handle insurance forms.

The Secretary performs all typing and correspondence for the Chief and Captain, including making stencils.

Section 111.70(4)(d)2a of the Municipal Employment Relations Act requires that the Commission ". . . determine the appropriate bargaining unit for the purpose of collective bargaining and shall, whenever possible avoid fragmentation by maintaining as few units as practicable in keeping with the size of the total municipal work force. . . ." In view of the present structure of the units of the Municipal Employer, the size of the unit sought, and the close community of interest that this position shares with the existing clerical unit, we determine that the unit sought is inappropriate. We further conclude that the Fire Dispatcher position is appropriately included in the existing clerical unit presently represented by District Council 48, AFSCME, AFL-CIO, and we are today issuing an Order to that effect.

Dated at Madison, Wisconsin this 12th day of April, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Howard S. Bellman
Howard S. Bellman, Commissioner

Herman Torosian
Herman Torosian, Commissioner