

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of	:	
DISTRICT COUNCIL 40, AFSCME, AFL-CIO	:	Case XXVII
Involving Certain Employes of	:	No. 20500 ME-1332
WASHINGTON COUNTY (DEPARTMENT OF SOCIAL SERVICES)	:	Decision No. 14754
	:	

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DIRECTION OF ELECTIONS

District Council 40, AFSCME, AFL-CIO, hereinafter referred to as the Petitioner, having, on May 7, 1976, filed a petition with the Wisconsin Employment Relations Commission requesting the Commission to conduct an election pursuant to Section 111.70(4)(d) of the Municipal Employment Relations Act, among certain employes of Washington County (Department of Social Services), to determine whether said employes desire to be represented by said Petitioner for the purposes of collective bargaining; and a hearing on such petition having been scheduled for June 16, 1976 at West Bend, Wisconsin, before Stanley H. Michelstetter II, Hearing Officer, and prior thereto the parties and Washington County Social Services Employees Association having entered into a Stipulation for Election involving Municipal Employes 1/; and the Commission being fully advised in the premises, and being satisfied that questions of appropriate units and representation have arisen for certain employes of said Municipal Employer;

NOW, THEREFORE, it is

DIRECTED

That elections by secret ballot be conducted under the direction of the Wisconsin Employment Relations Commission within thirty (30) days from the date of this Directive in the following separate voting groups:

VOTING GROUP I

All regular full-time and all regular part-time employes working 20 or more hours per week, employed by the Washington County Department of Social Services, conditionally excluding professional employes; and fully excluding supervisory, confidential and managerial employes, who were employed by said Municipal Employer on June 29, 1976, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employes voting desire to be represented by District Council 40, AFSCME, AFL-CIO, or Washington County Social Services Employees Association, or by neither of said Labor Organizations, for the purposes of collective bargaining with said Municipal Employer on wages, hours and conditions of employment.

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1/ The parties waived, in writing, inter alia compliance with the provisions of Section 227.12 of the Wisconsin Statutes.

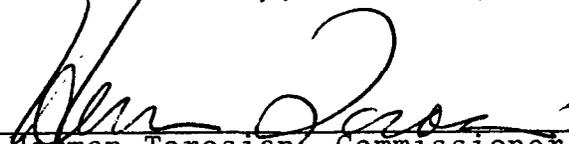
VOTING GROUP II

All regular full-time and all regular part-time professional employees, working 20 or more hours per week, employed by the Washington County Department of Social Services, excluding supervisory, confidential and managerial employees, who were employed on June 29, 1976, except such employees as may prior to the election quit their employment or be discharged for cause, for the purpose of determining (1) whether a majority of such employees eligible desire to be included in the bargaining unit specified in Voting Group I; and (2) whether a majority of such employees voting desire to be represented by District Council 40, AFSCME, AFL-CIO, or Washington County Social Services Employees Association, or by neither of said Labor Organizations, for the purpose of collective bargaining with the above named Municipal Employer on wages, hours and conditions of employment.

Given under our hands and seal at the City of Madison, Wisconsin, this 29th day of June, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
Morris Slavney, Chairman

  
Herman Torosian, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTIONS

The Washington County Social Services Employees Association is the currently recognized representative of all of the employes in the Municipal Employer's Department of Social Services. By agreement between the parties some of those employes, specifically those working in the classification of Social Workers I through V are professional employes within the meaning of Section 111.70(1)(1) of MERA. Under Section 111.70(4)(d)2.a. the Commission may not include professional employes in a unit containing non-professional employes without first affording the professional employes a unit determination vote to decide whether a majority of the professional employes desire to be so included.

In conducting the votes in question the three sets of ballots 2/ will be of differing colors. The sequence of counting the ballots will be as follows:

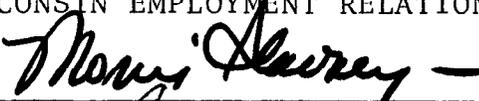
1. The ballots cast by the professional employes as to their desire to be included in the non-professional unit will be tallied first.
2. If a majority of the eligible professional employes do not vote in favor of inclusion in the non-professional unit, the representation ballots cast by the professional employes will be opened and counted separately from the ballots cast by the non-professional employes to determine whether a majority of the professional employes voting desire to be represented for purposes of collective bargaining by District Council 40, AFSCME, AFL-CIO, or Washington County Social Services Employees Association, or neither of said organizations.
3. If the requisite number of professional employes vote in favor of being included in the non-professional unit, the Commission's agent shall co-mingle their representation ballots with the representation ballots cast by the non-professional employes and thereupon tally the combined ballots to determine the choice as to representation of the employes in the combined unit.

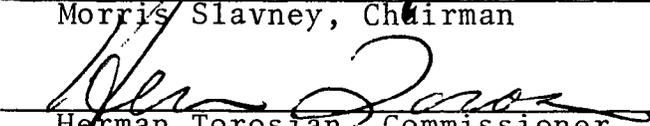
In the event that the professional employes vote for inclusion in the non-professional unit, the appropriate bargaining unit shall consist of all regular full-time and all regular part-time employes, working 20 or more hours per week, including professional employes employed by the Washington County Department of Social Services, excluding supervisory, confidential and managerial employes. Should the professional employes reject inclusion in the non-professional unit, the appropriate units shall consist of (1) all regular full-time and regular part-time employes, working 20 or more hours per week, employed by the Washington County Department of Social Services, excluding professional, supervisory, confidential and managerial employes, and (2) all regular full-time and regular part-time professional employes, working 20 or more hours per week, employed by Washington County Department of Social Services, excluding supervisory, confidential and managerial employes.

Dated at Madison, Wisconsin, this 29th day of June, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Herman Torosian, Commissioner

2/ The three types of ballots will be printed in three different colors.