

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

A.B.C. BLOCK COMPANY, INC.

Case I
No. 20690 E-2926
Decision No. 14888

Petition having been filed with the Wisconsin Employment Relations Commission by the above-named labor organization, requesting that an election to determine bargaining representative and a referendum on the "all-union agreement" question be conducted among certain employees of the above-named employer; and hearing having been scheduled but later indefinitely postponed at the request of the parties; and on August 26, 1976, the parties having submitted a jointly executed Stipulation for Election with respect to the unit described in the Petition; and the commission having considered said Stipulation and being satisfied that a question has arisen concerning representation of certain employees of said Employer;

DIRECTED

That an election 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 collective bargaining unit consisting of all employees of A.B.C. Block Company, Inc., Waukesha, Wisconsin, engaged in the direct manufacture of concrete block, lightweight block, including machine operators, forklift drivers, batching men and general laborers, but excluding supervisors, managerial and confidential employees and all other employees, who were employed on August 24, 1976, 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 Laborers' International Union of North America, Local No. 392, AFL-CIO, for the purposes of collective bargaining with A.B.C. Block Company, Inc.

Given under our hands and seal at the
City of Madison, Wisconsin this 2nd
day of September, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

~~Morris Slavney, Chairman~~

Herman Torosian, Commissioner

Charles D. Hoornstra, Commissioner

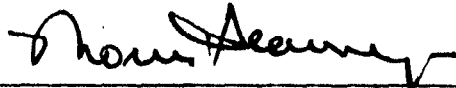
MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

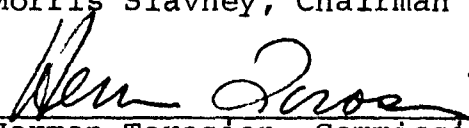
This proceeding was initiated by the filing of a petition by the union requesting the commission to conduct an election and referendum among the employees of the employer in the bargaining unit involved. Prior to hearing on the petition, the parties executed and filed a stipulation with the commission, requesting that only an election be conducted to determine whether the employees desire to be represented by the union. We deem that the union has abandoned its request for referendum. 1/ Even if it had not, it should be noted that on October 4, 1975 the Wisconsin Employment Peace Act was amended so as no longer to require the conduct of a referendum to authorize a union and employer to enter into an "all-union agreement" where the union has been certified as the collective bargaining representative after an election conducted either by the commission or by the National Labor Relations Board. 2/

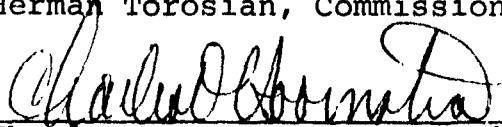
Therefore, should the union be selected as the bargaining representative in the election directed herein, the Employer may enter into an "all-union agreement" without a referendum.

Dated at Madison, Wisconsin this 2nd day of September, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Morris Slavney, Chairman


Herman Torosian, Commissioner


Charles D. Hoornstra, Commissioner

1/ The Commission is today issuing an Order dismissing that portion of the petition requesting the conduct of a referendum.

2/ Chapter 74, Laws of 1975.