



STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of

ADAMS COUNTY

For Clarification of a Bargaining Unit  
Consisting of Certain Employees of

ADAMS COUNTY (COURTHOUSE)  
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Case XX

No. 20758 ME-1356

Decision No. 15133

ORDER CLARIFYING BARGAINING UNIT

Adams County having filed a petition with the Wisconsin Employment Relations Commission on August 25, 1976, requesting that the Commission issue an Order clarifying a certified collective bargaining unit, represented by Local 1168, WCCME, AFSCME, AFL-CIO, with respect to the appropriate inclusion or exclusion of certain employees employed by the Adams County Library Board from the unit consisting of "all employees of Adams County employed in the Courthouse and Courthouse Annex (including non-professional employees in the Social Services Department), and Highway Department Office, but excluding confidential employees, 1/ elected officials, professional employees, supervisors, as defined in the Act, law enforcement personnel in the Sheriff's Department and all other employees of the County" 2/; and the parties having waived hearing and filed written briefs in the matter; 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 employees of the Adams County Library Board be excluded from the above-described unit.

Given under our hands and seal at the  
City of Madison, Wisconsin this 23rd  
day of December, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slavney  
Morris Slavney, Chairman

Herman Torosian  
Herman Torosian, Commissioner

Charles D. Hoornstra  
Charles D. Hoornstra, Commissioner

1/ Adams County, Case XII, (12866), 7/74.

2/ Adams County, Case VIII, (11937), 8/73.

No. 15133

MEMORANDUM ACCOMPANYING ORDER  
CLARIFYING BARGAINING UNIT

The County did not operate a library in August, 1973 when the collective bargaining unit, represented by the Union, was certified. On January 1, 1976, the County assumed the responsibility of funding and operating the library from the City of Adams. The library occupies a building which is leased from the city of Adams and which is physically separate from any other County operated buildings. The six Library employees occupy the following positions; one Director, four Library Assistants (including one who works on an on-call basis as a substitute), and one page.

The County argues that, although the Adams County Board of Supervisors approves the Library Board's budget, the Library Board employs the Library employees and prescribes their duties and compensation pursuant to Section 43.58(4) of the Wisconsin Statutes. Further, the Library employees are not included in the description of the collective bargaining unit previously certified by the Commission. For said reasons it is the County's position that Library employees should not be included in the existing unit of Courthouse and Courthouse annex employees.

The Union seeks the accretion of the non-professional Library employees to the existing bargaining unit contending that both groups of employees perform similar and related duties. The Union believes fragmentation should be avoided in view of the small numbers of employees involved.

The Library employees are employed in an operation which is distinct from other clerical employees of the County in terms of their work function, immediate supervision, physical separation of facilities and lack of interchange with other departments or divisions. Although the library's budget is established by the County Board of Supervisors, only one of the seven members of the Library Board is also a member of the County's Board of Supervisors. The Library Board does its own hiring and firing, and, sets its employee wages, hours, working conditions and other terms of employment without consultation with the County Board.

For the above-mentioned reasons the Commission concludes that the employees of the County's Library Board share a community of interest which is sufficiently separate and distinct from that of other County employees, and that it would therefore be inappropriate to accrete said employees to the existing certified unit of County employees without first giving said employees the opportunity to decide for themselves whether they wish to be so accreted. Since the petition herein is for a unit clarification only and does not seek an election on their behalf, our order does not direct an election.

Dated at Madison, Wisconsin this 23rd day of December, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Herman Torosian, Commissioner

  
Charles D. Moornstra, Commissioner