

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

No. 15401

private secretaries, and clerical personnel, who were in the employ of said employer on March 25, 1977, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether such employes desire to be represented by Hotel & Restaurant Employees & Bartenders, International Union Local 257, AFL-CIO, for the purposes of collective bargaining with Broom & State Corp., d/b/a Gargano's Restaurant.

Given under our hands and seal at the City of Madison, Wisconsin, this 31st day of March, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thomas Slavney
Morris Slavney, Chairman

Herman Torosian
Herman Torosian, Commissioner

Charles D. Hoornstra
Charles D. Hoornstra, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

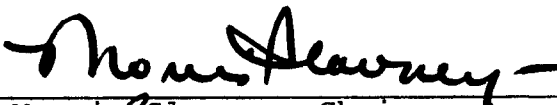
During the hearing both petitioner and the employer agreed:
1) that the volume of business of the Broom & State Corp., d/b/a Gargano's Restaurant is not sufficient to place the employer within the jurisdiction of the National Labor Relations Board; 2) that the unit as described in the petition is an appropriate unit; and
3) that the eligibility date for purposes of the election shall be the date of the hearing, March 25, 1977.

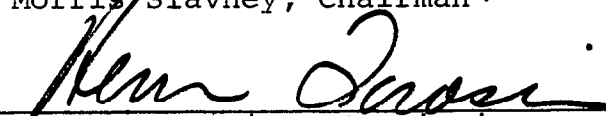
The parties agreed that Darryl Wolfe, Marty Zweifel, Bob Khouri and Matt Dollhausen be excluded from the within unit on the basis of their supervisory and/or managerial responsibilities. However, they could not agree as to the supervisory status of Michael Bunte and John Roderick Clark. It was agreed that should the latter two persons appear to vote, their ballots would be challenged by the employer. Should the challenged ballots, if any, be determinative of the election, the commission will then determine the supervisory and/or managerial status of Bunte and Clark.

Dated at Madison, Wisconsin, this 31st day of March, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Herman Torosian, Commissioner


Charles D. Hoornstra, Commissioner