STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of	:	
	:	
GENERAL TEAMSTERS, WAREHOUSE AND	:	
DAIRY EMPLOYEES LOCAL UNION #126	:	Case I
	:	No. 21040 ME-1385
Involving Certain Employes of	:	Decision No. 15574
	:	
PRINCETON UTILITY COMMISSION	:	
	:	

Appearances:

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Mr. L. V. Kaminski, City Attorney, appearing on behalf of the Municipal Employer.

<u>Mr. Martin H. Koenig</u>, Recording Secretary, appearing on behalf of the Petitioner.

DIRECTION OF ELECTION

General Teamsters, Warehouse and Dairy Employees Local Union #126, hereinafter referred to as the Petitioner, having, on November 26, 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 the Water, Sewer and Light Departments of the City of Princeton, to determine whether said employes desire to be represented by the Petitioner for the purposes of collective bargaining; and a hearing on such petition having been held at Princeton, Wisconsin on February 2, 1977, Ellen J. Henningsen, Examiner, being present; and the Commission having considered the evidence and being fully advised in the premises, and being satisfied that the employes identified as being employed in the Water and Light Departments of the City of Princeton are, in fact, employed by the Princeton Utility Commission, a Municipal Employer separate and distinct from the City of Princeton, and that the employes identified as being employed in the Sewer Department are, in fact, employed by the City of Princeton; and the Commission being further satisfied that a question has arisen concerning representation of employes employed by the Princeton Utility Commission;

NOW, THEREFORE, it is

ORDERED

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 regular full-time and regular part-time employes employed by the Princeton Utility Commission, excluding managerial, confidential and supervisory employes, and all other employes of said Municipal Employer, who were employed on June 14, 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

No. 15574

by General Teamsters, Warehouse and Dairy Employees Local Union #126 for the purposes of collective bargaining with said Municipal Employer.

> Given under our hands and seal at the City of Madison, Wisconsin this 14th day of June, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

leure By_ glavney, Chairman Morris 1 Commissioner Herman Torosian,

V NI 1 Charles D. Hoornstra, Commissioner

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MEMORANDUM ACCOMPANYING DIRECTION OF ELECTION

In the petition initiating the instant proceeding the Petitioner alleged the appropriate bargaining unit to consist of all employes employed in the "water, sewer and light department and all helpers therein, employed by the City of Princeton, excluding office clericals and supervisors." The record establishes that the "water and light departments" are public utilities within the meaning of Sections 196.01(1) and 66.06(1), Stats., and are subject to regulation by the Public Service Commission. Revenue for the operation of these departments, including payment of employes' salaries, derives from income generated by the sale of water and electricity at rates established by the Public Service Commission. Revenue is not dependent upon the City of Princeton's general taxing authority. The Water and Light Departments are governed by one threemember Utility Commission, the members of which are chosen from the members of the City Council by the Council and the Mayor. The Princeton Utility Commission is a municipal employer within the meaning of Section 111.70(1)(a) of the Municipal Employment Relations Act. 1/

The Sewer Department is not a public utility and is not subject to regulation by the Public Service Commission. Revenue for operation of the department derives from the City of Princeton's taxing authority. Ultimate control of that department rests with the City Council.

Three blue collar employes are jointly employed by the Utility Commission and the Sewer Department. Their duties include the reading of water and electric meters, and the installation and repair of water and sewer pipes and electric lines. Thirty percent of their time is employed in the "water department", 69 percent of their time is spent working for the "light department", and approximately one percent of their time is spent performing duties for the "sewer department". Their entire salary is paid from the budget of the Utility Commission.

Since all three employes spend a majority of their time performing duties in the departments under the control of the Utility Commission, they are all eligible to vote in the election to determine whether they desire to be represented by the Petitioner for the purposes of collective bargaining on wages, hours and working conditions with the Princeton Utility Commission.

Dated at Madison, Wisconsin this 14th day of June, 1977.

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1/ City of Milton (13400) 2/75.

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