

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of :

WISCONSIN COUNCIL OF COUNTY AND :
MUNICIPAL EMPLOYEES, AFSCME, AFL-CIO :

Involving Certain Employees of :

CLARK COUNTY (DEPARTMENT OF SOCIAL :
SERVICES) :

Case IX
No. 23510 ME-1581
Decision No. 16648

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DIRECTION OF ELECTIONS

Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, hereinafter referred to as the Petitioner, having on September 13, 1978, 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 employees of Clark County (Department of Social Services), to determine whether said employees desire to be represented by said Petitioner for the purposes of collective bargaining; and a hearing having been scheduled on said matter at Neillsville, Wisconsin on October 17, 1978, at which Michael F. Rothstein, Examiner, and the parties were present; and prior to the commencement of the formal hearing, a pre-hearing conference having been held and a stipulation having been entered into; and the Commission being satisfied that questions exist concerning the representation of certain employees of Clark County (Department of Social Services), and the inclusion of professional employees in a unit consisting of non-professional employees;

NOW, THEREFORE, it is

DIRECTED

That elections by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Commission within 30 days from the date of this Directive in the following voting groups for the following stated purposes:

Voting Group No. 1

All regular full-time and regular part-time employees of the Clark County Department of Social Services, conditionally excluding professional employees, and unconditionally excluding Income Maintenance Supervisor, Administrative Assistant, Deputy Director and Director, and all other supervisory, managerial and confidential employees, who were employed on October 31, 1978, except such employees as may prior to the elections quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employees desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, for the purposes of collective bargaining with Clark County on questions of wages, hours and conditions of employment.

Voting Group No. 2

All regular full-time and regular part-time professional social workers employed by the Clark County Department of Social Services, excluding Social Work Supervisors I, Deputy Director, Director, and

all other supervisory and confidential employees, who were employed on October 31, 1978, except such employees as may prior to the elections quit their employment or be discharged for cause for the purpose of determining:

- (a) whether a majority of the employees in said voting group desire to be included in the bargaining unit described in Voting Group No. 1; and
- (b) whether a majority of such employees voting desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO;

for the purposes of collective bargaining with Clark County on questions of wages, hours and conditions of employment.

Given under our hands and seal at the City of Madison, Wisconsin, this 31st day of October, 1978.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Marshall L. Gratz
Marshall L. Gratz, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTIONS

It should be noted that Section 111.70(4)(d) of MERA provides with respect to inclusion of professional employees in a non-professional unit, that a majority of the professional employees eligible must vote for inclusion in the non-professional unit in order to be so included.

The balloting herein shall be conducted as follows. The eligible employees voting in Voting Group No. 2 will be given the opportunity to determine (1) whether they desire to be represented by the Petitioner, and, (2) whether they desire to be included in one unit with the employees in Voting Group No. 1. The ballot with respect to unit preference will be counted separately and should a majority of the employees in Voting Group No. 2 vote to be included in the unit described in Voting Group No. 1, the representation ballots will be co-mingled and counted with the representation ballots cast by employees in Voting Group No. 1.

The Commission wishes to make clear that should a majority of the eligible employees in Voting Group No. 2 not vote in favor of being included in the unit with the employees in Voting Group No. 1, said voting group shall constitute a separate unit, and therefore the representation ballots cast by the employees in Voting Group No. 2 will be counted separately.

Dated at Madison, Wisconsin, this 31st day of October, 1978.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By *Morris Slavney*
Morris Slavney, Chairman

Marshall L. Gratz
Marshall L. Gratz, Commissioner