

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

 :
 In the Matter of the Petition of :
 :
 WISCONSIN COUNCIL OF COUNTY AND :
 MUNICIPAL EMPLOYEES, AFSCME, AFL-CIO : Case XXV
 : No. 24423 ME-1657
 Involving Certain Employes of : Decision No. 17178
 :
 SAWYER COUNTY :
 :

Appearances:

Mulcahy & Wherry, S.C., Attorneys at Law, by Mr. Stephen L. Weld,
 for the Municipal Employer.
Mr. Jack S. Bernfeld, District Representative, Wisconsin Council
 of County and Municipal Employees, AFSCME, AFL-CIO, for
 the Petitioner.

DIRECTION OF ELECTIONS

Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, having, on April 19, 1979, 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 Sawyer County, to determine whether said employes desire to be represented by said Petitioner for the purposes of collective bargaining; and hearing in the matter having been held on June 11, 1979, in Hayward, Wisconsin, before Christopher Honeyman, Examiner; and prior to any further action by the Commission, the Petitioner and the Municipal Employer executed a Stipulation for Election; and the Commission being satisfied that a question has arisen concerning representation of certain employes of said Municipal Employer;

NOW, THEREFORE, it is

DIRECTED

That elections by secret ballot shall be conducted under the direction of the Wisconsin Employment Relations Commission within thirty (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 employes of Sawyer County who work in the County Courthouse and annexes, conditionally excluding all professional employes, and fully excluding all employes of the Department of Social Services, the County Highway Department, and Sheriff's Department, also excluding all elected officials and all managerial, supervisory and confidential employes, who were employed on August 3, 1979, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining whether a majority of such employes voting desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, for the purposes of collective bargaining with Sawyer County on questions of wages, hours and conditions of employment.

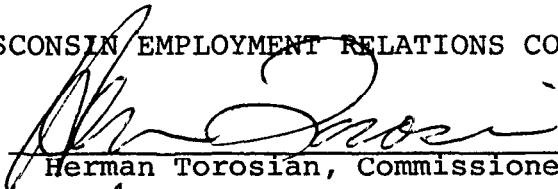
Voting Group No. 2

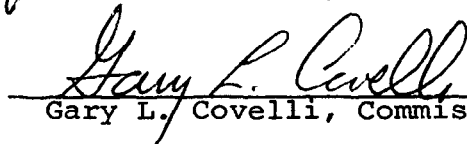
All regular full-time and regular part-time professional employes of Sawyer County who work in the County Courthouse and annexes, excluding all employes in the Department of Social Services, County Highway Department, and Sheriff's Department, also excluding all elected officials and all managerial, supervisory and confidential employes, who were employed on August 3, 1979, except such employes as may prior to the election quit their employment or be discharged for cause, for the purpose of determining (1) whether a majority of the employes in said voting group desire to be included in the bargaining unit described as Voting Group No. 1; and (2) whether a majority of such employes voting desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, for the purposes of collective bargaining with Sawyer County on questions of wages, hours and conditions of employment.

Given under our hands and seal at the
City of Madison, Wisconsin, this 3rd
day of August, 1979.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Herman Torosian, Commissioner


Gary L. Covelli, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTIONS

When a union in an election proceeding desires to include professional employes in a single unit with non-professional employes, Section 111.70(4)(d) of the Municipal Employment Relations Act requires that the professional employes be given an opportunity to vote to determine whether they desire to be included with the non-professional employes in a single unit. In order to be included in a unit with non-professional employes, a majority of the eligible professional employes must vote for such inclusion. Therefore, in this proceeding, the professional employes (Voting Group No. 2) will be given two ballots (1) to determine whether they desire to be included in a single unit with non-professional employes (Voting Group No. 1) and, (2) whether they desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO. The professional employes who appear to vote will be instructed to place their representation ballots in a furnished blank white envelope and to seal such envelope and deposit same in the ballot box. The unit determination ballot will be a separate colored ballot and the professional employes will be instructed to deposit their unit determination ballots in the ballot box.

The unit determination ballots cast by the professional employes will be initially counted, and should a majority of the eligible professional employes vote in favor of being included in a unit with non-professional employes, the sealed envelopes, containing the ballots of the professionals with respect to representation will be opened and their ballots will be co-mingled with the representation ballots cast by the non-professional employes, and thereafter the tally will include the representation ballots cast by all employes.

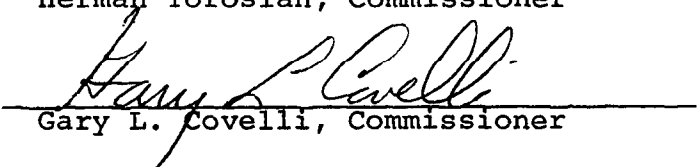
Should a majority of the professional employes eligible, not vote in favor of being combined in a unit with non-professional employes, then the professional employes shall constitute a separate unit, and their representation ballots will not be co-mingled with the representation ballots cast by the non-professional employes. Should that end result, the representation ballots cast by the professional employes will be tallied to determine whether the professional employes desire to be represented by Wisconsin Council of County and Municipal Employees, AFSCME, AFL-CIO, for the purposes of collective bargaining.

Dated at Madison, Wisconsin, this 3rd day of August, 1979.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Herman Torosian, Commissioner


Gary L. Covelli, Commissioner