STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Stipulation of

ROCK COUNTY HANDICAPPED CHILDRENS' BOARD and ROCK COUNTY EDUCATION

ASSOCIATION

Involving Certain Employes of

ROCK COUNTY HANDICAPPED CHILDRENS' BOARD

Case CXXXVII No. 27965 ME-2002 Decision No. 18681

DIRECTION OF ELECTIONS

The Petitioner and the Municipal Employer named above having filed a stipulation with the Wisconsin Employment Relations Commission, requesting the Commission to conduct elections among certain employes of the above named Municipal Employer, pursuant to Section 111.70(4)(d) of the Municipal Employment Relations Act;

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 employed by the Rock County Handicapped Childrens' Board in the non-professional classification of teacher aide, conditionally excluding employes employed in the professional classifications of teacher and speech clinician and fully excluding the classification of teaching principal and employes employed by the Rock County Handicapped Childrens' Board in other supervisory, managerial, confidential, clerical, custodial and maintenance classifications, who were employed on May 13, 1981, 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 Rock County Education Association, for the purposes of collective bargaining with Rock County Handicapped Childrens' Board on questions of wages, hours and conditions of employment.

Voting Group No. 2

All regular full-time and regular part-time employes employed by the Rock County Handicapped Childrens' Board in professional classifications of teacher and speech clinician, but excluding the classification of teaching principal and employes employed by the Rock County Handicapped Childrens' Board in other supervisory, managerial, confidential, clerical, custodial and maintenance classifications, who were employed on May 13, 1981, 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 Rock County Education Association, for the purposes of collective bargaining with Rock County Handicapped Childrens' Board on questions of wages, hours and conditions of employment.

Given under our hands and seal at the City of Madison, Wisconsin this 13th day of May, 1981.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Herman Torosian, Commissioner

Gary L. Covelli, Commissioner

MEMORANDUM ACCOMPANYING DIRECTION OF ELECTIONS

When in an election proceeding a request is made 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 so included. In order to be so included, a majority of the eligible professional employes must vote in favor of 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 Rock County Education Association. 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 professional employes who appear to vote will be previously instructed to place their representation ballots in a furnished blank envelope and to seal such envelope and deposit same 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 the unit of 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, and, therefore, the representation ballots cast by the non-professional and professional employes will be tallied separately to determine separately their choice as to bargaining representative.

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Dated at Madison, Wisconsin this 13th day of May, 1981.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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rris Slavney, Chairman

Herman Torosian, Commissioner

Gary L./Covelli, Commissioner