

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of  
**AFSCME COUNCIL 40, AFL-CIO, LOCAL 1281 CH**

Involving Certain Employees of

**CITY OF WAUSAU**

Case 27  
No. 54801  
ME-869

**Decision No. 20916-G**

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Appearances:

**Mr. Michael J. Wilson**, Representative at Large, Wisconsin Council 40, AFSCME, AFL-CIO, Suite B, 8033 Excelsior Drive, Madison, Wisconsin 53717-1903, appearing on behalf of AFSCME Council 40, AFL-CIO, Local 1381 CH.

**Attorney Anne L. Jacobson**, Assistant City Attorney, City Hall, 407 Grant Street, Wausau, Wisconsin 54403-4783, appearing on behalf of the City of Wausau.

**ORDER DENYING PETITION FOR REHEARING**

On May 18, 1998, the Wisconsin Employment Relations Commission issued Findings of Fact, Conclusion of Law and Order Clarifying Bargaining Unit in the above matter wherein we concluded that the Confidential Office Assistant to the Mayor, Confidential Office Assistant in the Fire Department, and the Confidential Administrative Specialists in the Wausau Area Transit System's Office, the Finance Department and the Clerk's Division are confidential employees within the meaning of Sec. 111.70(1)(i), Stats., and should therefore continue to be excluded from a collective bargaining unit represented by Wisconsin Council 40, AFSCME, AFL-CIO, Local 1287 CH.

On June 5, 1998, Local 1287 CH filed a petition for rehearing asserting that the Commission had made material errors of law and fact in the May 18, 1998 decision.

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On June 29, 1998, the City filed a written statement in opposition to the petition.

We have considered the matter and conclude that we did not make material errors of law or fact. Therefore, we issue the following

**ORDER**

The petition for rehearing is denied.

Given under our hands and seal at the City of Madison, Wisconsin this 3<sup>rd</sup> day of July, 1998.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Meier /s/  
James R. Meier, Chairperson

A. Henry Hempe /s/  
A. Henry Hempe, Commissioner

Paul A. Hahn /s/  
Paul A. Hahn, Commissioner