STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of
WISCONSIN COUNCIL 40, AFSCME,
AFL-CIO
Involving Certain Employes of
SHAWANO-GRESHAM SCHOOL
DISTRICT

Case VII No. 31480 ME-2208 Decision No. 21265

Appearances:

Ms. Cindy Fenton, Staff Representative, Wisconsin Council 40, AFSCME, AFL-CIO, P.O. Box 8356, Green Bay, Wisconsin 54308, appearing on behalf of the Petitioner.

Mulcahy & Wherry, S.C., Attorneys at Law, by Mr. Dennis Rader, 414 East Walnut Street, P.O. Box 1103, Green Bay, Wisconsin 54305, appearing on behalf of the District.

AND DIRECTION OF ELECTION

Wisconsin Council 40, AFSCME, AFL-CIO having, on April 20, 1983, filed a petition and on June 6, 1983, filed an amended petition requesting the Wisconsin Employment Relations Commission to conduct an election, pursuant to the provisions of the Municipal Employment Relations Act among all secretarial/clerical employes and teacher aides in the employ of the Shawano-Gresham School District; and hearing in the matter having been conducted on June 21, 1983, at Shawano, Wisconsin before Examiner Raleigh Jones; and the record having been closed on August 29, 1983, upon the receipt of the stenographic transcript of the proceedings, the written brief of the District and the waiver of brief by the Union; and on October 17, 1983, the Commission having received written communications from Shawano-Gresham Educational Support Personnel Association claiming to represent certain of the educational support personnel employed by the District and requesting that it appear on the ballot in any election conducted involving such personnel that results from the instant proceeding; and the Commission having considered the evidence and the arguments of the parties and being fully advised in the premises, and being satisfied that the above-noted request of Shawano-Gresham Educational Support Personnel Association to appear on the ballot should be granted, makes and issues the following

FINDINGS OF FACT

- 1. That Wisconsin Council 40, AFSCME, AFL-CIO, hereinafter referred to as the Union, is a labor organization and has its offices at P.O. Box 8356, Green Bay, Wisconsin 54308.
- 2. That the Shawano-Gresham School District, hereinafter referred to as the District, is a municipal employer with offices at 204-210 Franklin Street, Shawano, Wisconsin 54166.
- 3. That the Union by its petition seeks an election among certain unrepresented employes of the District to determine whether said employes desire to be represented by the Union for purposes of collective bargaining; that the Union contends such an election should be directed in a bargaining unit described as follows: all regular full-time and regular part-time secretarial/clerical employes and teacher aides employed by the Shawano-Gresham School District, excluding supervisory, managerial, confidential, professional and all other

employes; and that the District contends that the appropriate bargaining unit should consist of all regular full-time and regular part-time non-instructional employes, excluding supervisory, managerial, confidential and all other employes. 1/

- 4. That the District employs 87 non-certified non-professional employes, consisting of 17 secretaries (including clerical employes), 25 aides (including 5 clerical aides and 20 instructional aides), 24 custodians (including 3 maintenance employes), and 21 food service employes; and that none of said employes are presently represented for the purposes of collective bargaining.
- 5. That the custodians and secretaries work at all six schools in the system, while the aides and cooks work at five schools; that all support employes have identical fringe benefits in the following areas: health, dental, vision and life insurance, sick and emergency leave, holidays and retirement benefits; that the four employe groups each report to a different immediate supervisor who, in turn, report to the District Administrator; that the immediate supervisor for the cooks is the food service supervisor, the supervisor of buildings and grounds supervises the custodians, the building principal supervises the aides assigned to that building, and the secretaries are supervised by the administrator for whom they work; that no special educational standards are required of the support employes, with the exception that teacher aides are required to have two or three years of experience working with children; that custodians and some secretaries work twelve months per year, the remaining secretaries work ten months, and the aides and cooks work nine and one-half months; that all employes in the support classifications are paid on an hourly rate basis with cooks receiving from \$3.84 to \$4.89, custodians from \$4.67 to \$6.24, clerical aides from \$3.71 to \$4.98, teacher aides from \$4.77 to \$6.04, and secretaries from \$3.97 to \$5.54.
- 6. That the cooks prepare and serve hot lunches to the students; that custodians clean and provide maintenance to the school buildings; that secretaries and clerical aides type, file, keep records and run copying equipment; and that teacher aides have the same duties as do the clericals but in addition have regular contact with students, assist teachers in classrooms and work in resource centers or libraries.
- 7. That in view of the numbers of employes in the groups involved and common and similar job functions between the clericals, secretaries and aides, those employe groups share a sufficient community of interest onto themselves to justify the conclusion that a bargaining unit of such employes is an appropriate bargaining unit and that the establishment of such a bargaining unit will not cause undue fragmentation of bargaining units of employes employed by the District.

Upon the basis of the above and foregoing Findings of Fact, the Commission makes and issues the following $\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{2} \left(\frac{1}{2} \right) \left$

CONCLUSION OF LAW

That all regular full-time and regular part-time secretaries, clericals and instructional and clerical aides of the District, but excluding food service, custodial personnel, professional employes, supervisors, managerial and confidential employes is an appropriate collective bargaining unit within the meaning of Sec. 111.70(4)(d)2. a. of the Municipal Employment Relations Act.

Upon the basis of the above and foregoing Findings of Fact, and Conclusion of Law, the Commission makes and issues the following $\begin{array}{c} \text{Lower following} \\ \text{Lower following}$

^{1/} The parties stipulated to the exclusion of the secretary to the District Administrator from either proposed bargaining unit. The parties also stipulated that administrative assistant Gail Moesch would vote by challenged ballot.

DIRECTION OF ELECTION

That an election by secret ballot be conducted under the direction of the Wisconsin Employment Relations Commission within forty-five (45) days from the date of this directive in the collective bargaining unit consisting of all regular full-time and regular part-time secretaries, clericals and instructional and clerical aides of the Shawano-Gresham School District, excluding food service, custodial personnel, professional employes, supervisors, managerial and confidential employes who are employed by the Shawano-Gresham School District on December 23, 1983, 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 said employes desire to be represented by Wisconsin Council 40, AFSCME, AFL-CIO, or by the Shawano-Gresham Educational Support Personnel Association, or by no representative for the purposes of collective bargaining with the Shawano-Gresham School District on wages, hours and conditions of employment.

Given Inder our hands and seal at the City of Madjeon, Wisconsin this 23rd day of December, 1983.

ISCONSIN EMPLOYMENT RELATIONS COMMISSION

Ву

Maulall L

Marshall I Gratz Commissioner

I Dissent:

Gary L. Covelli, Commissioner

MEMORANDUM ACCOMPANYING FINDINGS OF FACT CONCLUSION OF LAW AND DIRECTION OF ELECTION

The Union seeks an election in a unit consisting of all regular full-time and regular part-time secretaries, clericals and aides (including instructional and clerical aides). This would include 42 employes in what is commonly referred to as a white collar unit. The District contends that the unit sought by the Union is inappropriate and that the appropriate unit should include all non-instructional employes in a support staff role rather than limiting the unit to only a combination of secretaries, clericals and aides. The District would include all custodians, cooks, aides (including instructional and clerical aides) and secretaries (including clerical employes) in a wall-to-wall non-professional unit of 87 employes. Thus, the sole issue presented herein is the question of the appropriate bargaining unit.

The District reviews the criteria which have been historically utilized by the Commission to determine whether a unit is appropriate, and it concludes the unit proposed by the Union is inappropriate since there is a community of interest existing throughout the support staff itself. The District argues there is great similarity among all support staff classifications in wages, hours and benefits, and that no one job classification requires such a level of skill or imposes such a requirement of duties as to clearly distinguish one support staff classification from the other. Additionally, the lines of supervision between these support groups overlap and merge at the District Administrator's level. employes also have common work sites and the District has traditionally treated the support employes uniformly in making adjustments in wages and conditions of employment. For these reasons, the District argues there is no sound rationale for creating a unit separate and distinct from the greater group of support staff employes. To do so would not only violate the anti-fragmentation policy of MERA, but would also encourage other support employes to create their own distinct Furthermore, the District contends that the Union has failed to demonstrate why its proposed unit is appropriate. It is submitted by the District that the difference which exists between the aides and the secretaries/clericals is probably greater than any difference which exists between any of the other employe groups. For example, instructional aides must have either two to three years of experience or at least two years of college, while clericals and clerical aides are not subject to any such educational requirements. In terms of student contact, instructional aides have regular contact with students whereas the secretaries have only momentary contact with students during the school day.

Sec. 111.70(4)(d)2.a. of MERA provides that fragmentation of bargaining units should be avoided "by maintaining as few units as practicable in keeping with the size of the total municipal work force." That provision, however, also states that "the Commission may decide whether, in a particular case, the employes in the same or several departments, divisions, institutions, crafts, professions, or other occupational groupings constitute a unit". We have previously noted that:

"Taken together, these two requirements in effect dictate that a balance must be struck between stability on the one hand, and the need for ensuring that the unique interests of a given group of employes will not be subordinated to the interests of another bargaining group. It is for that reason that the Commission looks to the facts of a given case to determine the appropriateness of a particular bargaining unit." 2/

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^{2/ &}lt;u>Joint School District No. 8, City of Madison</u>, 14814-A (12/76); <u>Appleton Area School District</u>, 18203 (11/80).

This Commission has interpreted Sec. 111.70(4)(d)2.a. of MERA to mean that at times there is a need for bargaining units which afford employes the opportunity to be represented in workable units by organizations of their own choosing, which may reasonably be expected to be concerned with the unique interests and aspirations of the employes in said units.

In past cases involving school district support personnel, the Commission has found both wall-to-wall 3/ and white collar or blue collar 4/ bargaining units to be appropriate, depending on the facts involved. The factor distinguishing the cases in which only wall-to-wall units were deemed appropriate from the others was the size and nature of the units involved. None of the former cases involved a total as large as the 87 support employes involved here. Here, the Commission is satisfied that the "white collar" employes share a sufficient community of interest so as to constitute an appropriate bargaining unit. While the record establishes that in many respects there is a similarity among all support classifications in terms of wages, benefits and conditions of employment, as well as common ultimate supervision and worksites, the Commission has determined that differences between the job functions in the resultant unit and the custodian and food service employe groups are sufficient to warrant establishing a "white collar" unit. For, unlike the clerical functions that characterize a significant portion of the work of the employes in the "white collar" unit, the duties of custodial employes consist generally of the cleaning and maintaining of physical structures and grounds, and the duties of food service employes consist of preparing and serving foods. Furthermore, there is little, if any, job integration between the white collar and the other support employes. While there are some differences between the teacher aides and secretaries/clericals in educational background and student contact time, they do share common clerical job duties such as typing, filing and record keeping. The fact that the District has treated their non-professional employes uniformly with regard to their working conditions in the past while they were unrepresented does not outweigh the distinctions in job functions between the white collar and blue collar groups.

In response to our colleague's dissent, we emphasize that a case-by-case application of the seven traditional criteria for appropriate unit determinations does not produce hard and fast rules of universal applicability. Not all of the criteria necessarily deserve the same weight in every case. Hence, in some cases the size of the unit(s) will take on paramount significance as regards antifragmentation, while in other cases one or more criteria may predominate.

It seems overbroad to us to state, as our colleague has, that the Commission has generally favored wall-to-wall units. It is true that the Commission has found wall-to-wall units appropriate upon application of the criteria to the facts of numerous cases. However, each such case must be weighed in light of its similarities and differences with the case at hand in determining whether it constitutes persuasive precedent for a similar result.

We think the cases relied on by our colleague in his footnote 5 do not constitute a persuasive basis on which to refuse to find appropriate a combined aides and clericals unit in the instant case. A review of those cases reveals two significant differences between them and the situation involved herein. None of those cases involved appropriateness of the blue collar/white collar split of non-professionals into two potential units that is involved herein. Moreover, the size of the separate units proposed and rejected in those cases were all smaller than either the unit of 42 white collar employes or the remaining potential blue collar group of 45 employes involved herein.

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Wisconsin Heights School District (17182) 8/79; Columbus School District (17259) 9/79; Maple School District (18469) 2/81; School District of Milton (19039) 10/81.

^{4/} Hortonville Community School District #1 (11255) 8/72; Jt. School District #8, City of Madison (14814-A) 12/76; Hartland Union High School (15745) 8/77; Lodi Jt. School District #1 (16667) 11/78.

While our colleague has validly pointed out that a wall-to-wall unit would be consistent with a number of the traditional criteria, we are nonetheless satisfied that, in balancing the various factors to be taken into consideration in determining appropriate units, the potential of two non-professional bargaining units consisting of 42 and 45 employes appropriately effectuates the representational interests of a substantial number of employes without undue fragmentation of the District's workforce.

Dated at Madison, Wisconsin this 23rd day of December, 1983.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Merman Torosian, Chairman

Marshall L. Gratz, Commissioner

DISSENTING OPINION OF COMMISSIONER COVELLI

I disagree with my colleagues' finding that the number of employes involved herein and the similarity of job functions of secretaries, clerical aides and instructional aides justify establishing a bargaining unit separate and apart from the other non-professional employes of the District. I believe that such a conclusion is contrary to the anti-fragmentation policy of Sec. 111.70(4)(d)2a and inconsistent with prior Commission decisions in similar circumstances, wherein the Commission concluded that the appropriate unit in a school district was a wall-to-wall unit of all unrepresented non-professional employes and, therefore, units of less than wall-to-wall employes would be inappropriate. 5/

The Commission, in determining whether the unit sought is appropriate, must apply the anti-fragmentation mandate of Sec. 111.70(4)(d)2a, which states as follows:

The Commission shall determine the appropriate unit for the purpose of collective bargaining and shall whenever possible avoid fragmentation by maintaining as few units as practicable in keeping with the size of the total municipal work force. In making such determination, the Commission may decide whether, in a particular case, the employes in same or several

In applying the above statutory criteria and establishing appropriate bargaining units, the Commission has considered the following factors: 6/

- 1. Whether the employes in the unit share a "community of interest" distinct from that of other employes.
- 2. The duties and skills of employes in the unit sought as compared with duties and skills of the other employes.
- 3. The similarity of wages, hours and working conditions of the employes in the unit sought as compared to wages, hours and working conditions of other employes.
- 4. Whether the employes in the unit sought have separate or common supervision with all other employes.
- 5. Whether the employes in the unit sought have a common work place with the employes in said desired unit or whether they share the work place with other employes.
- 6. Whether the unit sought will result in undue fragmentation of bargaining units.
- 7. Bargaining history.

Also, when applying the above factors, the Commission has held that the overriding determinative factor is the anti-fragmentation policy. 7/

The majority, in justifying the establishment of a unit of instructional and clerical aides and secretaries separate and apart from the remaining non-professional unrepresented employes, relies on the total numbers of employes in this case as the distinguishing factor from the other cases in which only wall-to-wall units were deemed appropriate. 8/ While I agree with my colleagues that the total number of employes involved herein (87 employes) is larger than in the seven cases cited in footnote 5 (which required a wall-to-wall unit), in my opinion, after examining the other factors set forth above, that difference alone is not sufficient to overcome the anti-fragmentation mandate as noted above.

For example, in Milton School District 9/, the Association petitioned for a wall-to-wall unit of non-professional employes, which included 8 secretaries, 18 food service, 12 custodians, and 22 aides for a total of 60 employes. The District in Milton argued that aides should not be included in the petitioned-for unit because the aides did not share a community of interest with the other groups of non-professional employes. The Commission concluded that a wall-to-wall unit was appropriate and stated the following: 10/

Section 111.70(4)(d)2.a. of the Municipal Employment Relations Act requires the Commission to "whenever possible avoid fragmentation" of bargaining units. In keeping with that statutory policy and on the basis that the similarities outweigh the differences in the conditions of employment of the aides and the other three groups of non-professional employes, the Commission concludes that the aides should not be excluded from the collective bargaining unit consisting of

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^{6/} See <u>Boyceville Community School District</u> (20598) 4/83; <u>City of Madison</u> (Water Utility) (19584) 5/82; <u>Kenosha Unified School District No. 1</u> (13431) 3/75.

^{7/} Appleton Area School District (18203) 11/80 at 4, citing Milwaukee County, Dane Co. Cir.Ct. 6/76 (aff. Commission decision No. 14571, 3/74).

^{8/} Note 5, supra.

^{9/} Note 5, supra.

^{10/} At page 6.

the otherwise eligible non-professional employes in the District. Such a conclusion is consistent with our decisions in previous cases where we have found such an overall unit to be appropriate. (Footnote admitted.)

Similarly, the Commission, in <u>Maple School District 11</u>, found a wall-to-wall unit of 59 non-professionals including custodians, secretaries, aides, food service and weekend security employes as the appropriate unit and refused to find the 16 custodians as a separate appropriate unit based on anti-fragmentation.

In addition, while not comprising a wall-to-wall unit, the Commission found, in Marshfield Joint School District #1 (14575) 4/76, a unit of 90 non-professional employes as the appropriate unit, consisting of all regular full-time and regular part-time employes including food service employes, laundry employes, teacher aides, audio-visual technician, and clerical and secretarial employes, but excluding members of the teacher bargaining unit and members of the custodial unit. Obviously, the total number of employes in a wall-to-wall unit herein (87) is less than the 90 employes in Marshfield which involved the remaining unrepresented non-professionals, and which the Commission found appropriate.

I disagree with my colleagues that the total number of employes involved herein is sufficiently greater so as to justify a different conclusion than the above-noted cases and, more importantly, is sufficient to overcome the statutory anti-fragmentation policy. The statute clearly states that the Commission, when determining the appropriate unit, shall whenever possible avoid fragmentation. There has been no showing that it is not "possible" or "practicable" to establish a wall-to-wall unit of non-professional employes under the circumstances herein. To the contrary, the District's practice of treating all non-professional employes as a group in making adjustments in wages and conditions of employment, and the many prior Commission decisions in which wall-to-wall units were found to be appropriate, support such a conclusion.

Assuming arguendo that the prior Commission cases in which wall-to-wall units were determined to be appropriate could be distinguished and the Commission's seven factors, as noted earlier, were applied, I don't believe they support a conclusion that the community of interest of secretaries, instructional and clerical aides are so distinct from custodians and food service employes. Of the seven factors, only the differences of job duties tend to support a separate unit. I would note that the existence of different job duties has existed in the prior cases and, in spite of this, the Commission has concluded that wall-to-wall units are appropriate. Further, if job duties is going to be the decisive factor, it follows that a separate unit for custodians and a separate unit for food service employes would be appropriate since there are as many differences in duties between custodians and food service as exist between either the custodians and aides-clericals, or the food service employes and aides-clericals. I also don't agree with my colleagues' characterization of the petitioned-for unit as all the "white collar" employes, inferring that the remaining employes are "blue collar", since I would not characterize the food service employes as traditional "blue collar" employes. Further, the record herein fails to support a conclusion that a "white collar" unit is any more appropriate than a wall-to-wall unit, since the similarities and differences in wages, hours and conditions of employment shared by the employes in the "white collar" unit are no greater than would exist among the employes in a wall-to-wall unit.

I believe the other six factors support a wall-to-wall unit because they establish similarities between all non-professionals, or fail to establish a uniqueness between aides and secretaries as a group, versus the other non-professionals. All non-professionals are paid on an hourly basis and receive identical fringe benefits based on their work year. The wage rates of teacher aides (\$4.77 to \$6.04) are more similar to those of custodians (\$4.67 to \$6.24), while the clerical aides wage rates (\$3.71 to \$4.98) tend to be more similar to those of food service (\$3.84 to \$4.89) and secretaries (\$3.97 to \$5.54). The weekly working hours vary between each group: custodians - 45 hours, secretaries - 40 hours, instructional aides - 37 1/2 hours, clerical aides and food service - 32 1/2 hours. The work year for clerical and instructional aides and food service is identical at 9 1/2 months, while all custodians and some secretaries

^{11/} Note 5, supra.

work 12 months, and a few secretaries work 10 months. There have been no transfers between aides and secretaries. With regard to supervision, there is no common supervision unique to aides and secretaries. Rather, the common supervision for those groups and for all non-professionals occurs at the District Administrator's level. The secretaries and custodians work at all six of the District's buildings, while aides and food service work in five of the six buildings. Although there is no bargaining history, the District has traditionally treated all non-professional employes as a group in establishing wages and conditions of employment. All non-professional employes work in support of the District's educational program just as all professional employes of the District work in support of this goal and, for that reason, all professional employes of the District, regardless of profession, have been included in one unit of 150 professional employes.

While the majority cite, in footnote 4, several prior Commission cases where a white-collar unit involving school districts was found appropriate, I believe those cases can easily be distinguished from the facts herein. In Hortonville, there was no issue raised as to whether a wall-to-wall unit versus a clerical and aide unit was appropriate and further, a separate custodian unit had already existed at the time of that election petition. In Madison, the Commission found a unit of exclusively clericals to be appropriate and noted that there were some 220 clericals and, as a result, the employer would not be plagued by undue fragmentation. In <u>Hartford</u> it does not appear that all the other factors, as noted above, which exist in this case and support a wall-to-wall unit existed in <u>Hartford</u>. I would also note that in <u>Hartford</u> there was no discussion or reference to all the prior cases where <u>wall-to-wall</u> units were found to be appropriate. In Lodi, the Commission concluded that "primarily because of the bargaining history", the anti-fragmentation policy of MERA would be overcome and that a regular full-time and regular part-time custodial and maintenance unit distinct from the remainder of the non-professional employes would be I believe that those cases are not controlling, especially when appropriate. viewed against the generally consistent policy of finding wall-to-wall units as the appropriate unit. In fact, on several occasions when the Commission has found a unit of clericals, aides, custodians and food service as the appropriate unit, it has excluded other non-professional employes such as Title I Aides ("white collar") 12/ and Transportation Department employes ("blue collar") 13/ because they did not share a community of interest with the wall-to-wall unit.

The Commission has been confronted with what I believe have been more compelling reasons for establishing separate units than exist here, especially among different professionals, but they have been rejected based on the statutory mandate of anti-fragmentation. In school districts, the Commission has consistently included all professional employes, regardless of their profession, in one unit with teachers, as shown by the following examples: Psychologists 14/; Social Workers 15/; Catalogers and Text Librarians 16/; Counselors 17/; Placement Officer 18/; Consumer Consultant 19/; and Nurses 20/. In spite of very persuasive

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^{12/} Jefferson Joint School District (15336) 3/77.

^{13/} Wautoma Public Schools Joint District (12300) 11/73.

Kenosha Unified School District No. 1 (13431) 3/75; Joint City School District No. 1, City of Superior (13238-A) 6/76; Also, see Milwaukee Board of School Directors (13787-G, 16009-D) where the Commission established a separate unit of psychologists because of special circumstances, namely a 14-year bargaining history and the significant number - 108.

^{15/} Germantown School District (17494) 12/79.

^{16/} Madison Metropolitan School District (13735-A) 4/77.

^{17/} Kenosha VTAE District (14381) 3/76.

^{18/} Waukesha VTAE District (13818) 9/75.

^{19/} Gateway VTAE District (17449) 11/79.

^{20/} River Falls Jt. School District (13804-A).

arguments that could justify a separate unit, such as differences in duties, training, skills, work year and supervision, or the possible submerging of their unique interests because of their relatively small numbers when compared to the number of teachers, the Commission has consistently found an overall unit of all professionals as appropriate based on the anti-fragmentation policy. For example, in Madison Metropolitan School District 21/, the Commission clarified 12 nurses into a unit of 1743 other professionals on the basis of anti-fragmentation. Obviously, the potential of the nurses' unique interests being submerged in that case is much greater than the case that exists herein, where there are four different classifications each having approximately the same number of employes.

Other examples of the Commission being confronted with very compelling circumstances to deviate from the anti-fragmentation policy have occurred when totally unrelated professionals have been combined into one unit. In Grant County (21063) 10/83, the Commission, over the objection of the County, included Assistant District Attorneys with Social Workers and Nurses. Another example of the Commission emphasizing anti-fragmentation as the predominant factor when establishing the appropriate unit was in City of Cudahy (19507) 3/82. In Cudahy, the Commission included Registered Nurses in a unit with Engineers, a Data Processing Analyst and Inspectors, over the claim by the City that the Nurses do not share a community of interest with the other professions, because they have separate supervision, different professions and a distinct work place.

Based on the foregoing, I would conclude that the appropriate unit for purposes of collective bargaining is all regular full-time and part-time non-professional employes in the employ of Shawano-Gresham School District, including secretaries, clerical aides, instructional aides, food service employes, and custodians. I believe that my colleagues' approach leaves serious confusion as to what total numbers of non-professional employes will be sufficient to overcome the anti-fragmentation mandate.

Dated at Madison, Wisconsin this 23rd day of December, 1983.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Gary L. Covelli, Commissioner

^{21/} Madison Metropolitan School District (20836-A, 21200) 11/83.