

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition of

**WISCONSIN ASSOCIATION OF PROFESSIONAL CORRECTIONAL OFFICERS**

Involving Certain Employees of

**STATE OF WISCONSIN  
DEPARTMENT OF EMPLOYMENT RELATIONS (CORRECTIONS)**

Case 469  
No. 56907  
SE-104

**Decision No. 29754-B**

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**Appearances:**

**Attorney Sally A. Stix**, 7609 Elmwood Avenue, Suite 202, Middleton, Wisconsin 53562-3134, appearing on behalf of Wisconsin Association of Professional Correctional Officers.

**Attorney David J. Vergeront**, Legal Counsel, Department of Employment Relations, 345 West Washington Avenue, P.O. Box 7855, Madison, Wisconsin 53707-7855, appearing on behalf of the State of Wisconsin, Department of Employment Relations (Corrections).

Lawton & Cates, S.C., by **Attorney P. Scott Hassett**, Ten East Doty Street, Suite 400, P.O. Box 2965, Madison, Wisconsin 53701-2965 appearing on behalf of the Wisconsin State Employees Union.

**ORDER DISMISSING PETITION FOR ELECTION**

On October 31, 2000, the Wisconsin Association of Professional Correctional Officers (WAPCO) filed a petition and showing of interest cards with the Wisconsin Employment Relations Commission seeking an election to determine whether the employees in the Security and public safety bargaining unit referenced in Sec. 111.825(1)(d), Stats., wish to be represented by WAPCO, or to continue to be represented by WSEU District Council 24, AFSCME, or not to be represented for the purposes of collective bargaining.

Following receipt of the election petition, Wisconsin Employment Relations Commission staff members examined the showing of interest cards filed by WAPCO to determine whether the WAPCO election petition had the support of 30 percent of the

employees in the Security and public safety bargaining unit as required by Sec. 111.825(4), Stats. At a December 1, 2000 meeting attended by all parties and by letter dated December 4, 2000, Wisconsin Employment Relations Commission staff member Thomas L. Yaeger advised all parties that Wisconsin Employment Relations Commission staff had determined that the WAPCO petition was not accompanied by a 30 percent showing of interest.

On January 31, 2001, WAPCO asked the Wisconsin Employment Relations Commission to review the showing of interest determination made by Wisconsin Employment Relations Commission staff and to conclude that a 30 percent showing of interest had been provided.

On May 3, 2001, the Wisconsin Employment Relations Commission issued an Order concluding that Wisconsin Employment Relations Commission staff had properly concluded that a 30 percent showing of interest did not accompany the October 31, 2000 WAPCO petition but directing Wisconsin Employment Relations Commission staff to review certain showing of interest cards identified by WAPCO in the January 31, 2001 request.

By letter dated May 11, 2001, Wisconsin Employment Relations Commission staff member Yaeger advised the Commission and the parties that the review of the showing of interest cards directed by the Commission in the May 3, 2001 Order had been completed.

Because the October 31, 2000 WAPCO election petition was not accompanied by the statutorily required 30 percent showing of interest,

NOW, THEREFORE, it is

**ORDERED**

The petition for election is dismissed.

Given under our hands and seal at the City of Madison, Wisconsin this 15<sup>th</sup> day of May, 2001.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Meier /s/

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James R. Meier, Chairperson

A. Henry Hempe /s/

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A. Henry Hempe, Commissioner

Paul A. Hahn /s/

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Paul A. Hahn, Commissioner