

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of
TEAMSTERS UNION LOCAL NO. 695

Involving Certain Employees of
VILLAGE OF FOOTVILLE

Case ID: 414.0003
Case Type: REC_ME

DECISION NO. 37343-B

Appearances:

Rick Roeth, Teamsters Union Local No. 695, 1314 North Stoughton Road, Madison, Wisconsin, appearing on behalf of Teamsters Union Local No. 695.

Randi Mielke, Village of Footville, 261 North Gilbert Street, P.O. Box 445, Footville, Wisconsin, appearing on behalf of the Village of Footville.

ORDER DENYING REQUEST FOR NEW ELECTION

On March 1, 2018, the Wisconsin Employment Relations Commission issued and emailed to Teamsters Union Local No. 695 and the Village of Footville a Direction of Election and Notice of Election advising them that between April 5 and April 25, 2018, the Commission would be conducting an election to determine if at least 51 percent of certain Village employees wanted to continue to be represented for the purposes of collective bargaining by Teamsters. The email that accompanied the Direction and Notice asked that the Village post and/or distribute the Notice so that employees would know how and when to vote if they chose to do so.

On April 26, 2018, the Commission emailed Teamsters and the Village election results that indicated neither of the two eligible voters had cast a ballot. The email that accompanied the election results stated that the parties had eight calendar days to advise the Commission of any issues that might have affected the election result. Nothing was received from the parties and, on May 8, 2018, the Commission issued and emailed to the parties a Certification of Results of Election which stated that at least 51 percent of the eligible voters had not selected Teamsters to continue as their bargaining representative.

On May 21, 2018, Teamsters contacted the Commission regarding the election results. Subsequently, both Teamsters and the Village alleged that the employees had never been advised as to how and when a ballot could be cast and therefore requested that the Commission conduct a new election. On May 31, 2018, the Commission advised the parties that their request had been denied and that a formal decision confirming that decision would be issued.

NOW, THEREFORE, it is:

ORDERED

The request for a new election is denied.

Signed at the City of Madison, Wisconsin, this 6th day of June, 2018.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman

MEMORANDUM ACCOMPANYING ORDER
DENYING REQUEST FOR NEW ELECTION

The background in this matter has been recited in the preface to the Order. The parties were provided with all the information needed for a successful election process. The parties were subsequently advised that no votes had been cast and given the opportunity to timely raise any concerns. When no concerns were raised, the Commission certified the election results.

Section 111.70(4)(d)3.b., Stats., and Wis. Admin Code § ERC 71 establish specific deadlines for the conduct of the election and the receipt of any concerns as to how an election was conducted. Those deadlines provide needed structure, certainty, and finality to an important statutory process. The interests advanced by adherence to those deadlines warrant a conclusion that post-deadline requests for a new election must be rejected.

Signed at the City of Madison, Wisconsin, this 6th day of June, 2018.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman