

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

---

In the Matter of the Petition of  
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 158  
Involving Certain Employees of  
CITY OF GREEN BAY

Case ID: 284.0049  
Case Type: REC\_ME

DECISION NO. 41304

---

**ORDER DISMISSING PETITION FOR RECERTIFICATION ELECTION**

On January 23, 2026, the Wisconsin Employment Relations Commission received an emailed petition from the International Brotherhood of Electrical Workers, Local 158 asking that the Commission conduct a recertification election as to certain employees of the City of Green Bay. The deadline for receipt of both such a petition and the applicable filing fee was January 30, 2026. The filing fee related to the Local 158 petition was not received until February 2, 2026.

Both Local 158 and the City subsequently asked the Commission to nonetheless proceed to conduct the recertification election. On February 13, 2026, the Commission advised the parties that it could not waive the requirements for timely receipt of the filing fee.

NOW, THEREFORE, it is

**ORDERED**

The petition for a recertification election is dismissed.

Issued at Madison, Wisconsin this 9<sup>th</sup> day of April 2026.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by Peter G. Davis**  
Peter G. Davis, Chairman

**MEMORANDUM ACCOMPANYING ORDER**  
**DISMISSING PETITION FOR RECERTIFICATION ELECTION**

Wisconsin Admin. Code ch. ERC 71 is the administrative rule that governs how and when a recertification election must be filed if a current collective bargaining representative of city employees wants to continue as the representative.

Section ERC 71.02(3) states in pertinent part that “[a] petition is not filed unless it is accompanied by the applicable filing fee . . . .”

Section ERC 71.03(7)(a) states in pertinent part “[t]o be timely, a petition must be filed on or before January 30.”

Both Local 158 and the City nonetheless asked the Commission to waive the January 30 deadline established by Wis. Admin. Code ch. ERC 71. Wisconsin Admin. Code ch. ERC 10 lists the administrative rule requirements that the Commission has the authority to waive.<sup>1</sup> Chapter ERC 71 is not listed. Therefore, the Commission does not have the authority to waive the January 30 deadline for receipt of the filing fee. Thus, the petition is hereby dismissed.

Issued at Madison, Wisconsin this 9<sup>th</sup> day of April 2026.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by Peter G. Davis**

Peter G. Davis, Chairman

---

<sup>1</sup>Wis. Admin. Code ERC 10.01 states in part:

The commission or examiner may waive requirements of chs. ERC 10 to 19, 30 to 32, 40, and 50 to serve the purposes and provisions of the Municipal Employment Relations Act, unless a party shows that it would be prejudiced by the waiver.