

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of
International Association of Fire Fighters
Involving Certain Employees of
Village of Richfield

Case ID. 694.0000
Case Type: E_ME

Decision No. 41317

Appearances:

Patrick Kilbane, Field Representative, 1430 21st Ave., Rice Lake, Wisconsin, appearing on behalf of the International Association of Fire Fighters.

Attorney Mark Kapocius vonBriesen & Roper, S.C., 411 E. Wisconsin Ave., Suite 1000 Milwaukee, Wisconsin, appearing on behalf of the Village of Richfield.

FINDING OF FACT, CONCLUSIONS OF LAW AND DIRECTION OF ELECTION

On April 14, 2025, the International Association of Fire Fighters (Union) filed a Petition for Election with the Wisconsin Employment Relations Commission, seeking an election among certain full-time employees of the Village of Richfield (Village) to determine if said employees wished to be represented by the Union for the purposes of collective bargaining. The Village opposed the Petition arguing that the full-time only bargaining unit sought by the Union is not appropriate. The Petition was thereafter held in abeyance until the Union decided to proceed with the matter.

A hearing was held on October 17, 2025, in Richfield, Wisconsin by Commission Chairman Peter G. Davis. The parties thereafter filed written argument until December 19, 2025. The record was supplemented on January 23, 2026.

Having considered the matter, the Commission makes and issues the following:

FINDING OF FACT

1. The International Association of Fire Fighters, herein the Union, is a labor organization that exists at least in part to represent employees for the purposes of collective bargaining.

2. The Village of Richfield, herein the Village, is a municipal employer that employs full- time and part-time employees to provide emergency fire-fighting and medical services to its citizens.

3. The Village employs 12 full-time firefighters (FT) who work 24 hour shifts out of a main station as part of 4 person duty crews; eight part-time paid on premises firefighters (POP) who, when available, fill-in for the FT employees when the FT employees are absent due to illness, vacation, training and who also may respond to emergency calls when available; and approximately 27 paid per call firefighters (PPC) who respond to emergency calls if available. Some POP's are also PPC's and thus are classified as POP/PPC's. The Village employs approximately 30 other employees.

4. The full-time and part-time Village employees who provide emergency firefighting and medical services have a shared purpose of providing for the safety of the citizens they serve.

5. The 12 FT employees each have 2920 regularly scheduled hours of work in year. No POP, PPC or POP/PPC employees have regularly scheduled hours. The number of hours worked by a POP or PPC or POP/PPC employee is a consequence of their availability and the need for their services. The POPs worked a total of 3023 hours in their fill-in capacity during 2025. The number of non-fill in hours of emergency service hours in 2025 by POP, PPC and POP/PPC employees was 897.

6. The FT and POP employees are required to have both Firefighter 1 and EMT certifications. The POC either have or are to acquire a firefighter or EMT certification within a year or two. The difference in certifications generates some differences in the duties performed at an emergency scene. When POP employees fill-in for FT employees at the station, they perform most but not all of the same duties as the FT employees.

7. All FT, POP, PPC and POP/PPC employees share general common supervision by the Fire Chief. When they respond to a call for emergency services, they are under the supervision of an incident commander and perform duties consistent with their certifications and physical ability.

8. When hired, the FT firefighters have an hourly rate of \$18.54 and thus earn between \$54,000 and \$64, 000 per year (depending on certification level) with increases thereafter based on years of service. The FT employees also receive a wide variety of fringe benefits. The POP, PPC and POP/PPC employees do not receive any fringe benefits, and their hours of work are capped so as to avoid eligibility for Wisconsin Retirement benefits. The POP, PPC and POP/PPC employees received an hourly rate of \$18.54 when responding to emergency calls or filling in for FT employees with no increases based on years of service.

9. The Village Fire Department has only existed since 2025. Previously, fire and emergency services were provided by a volunteer department. The Village unilaterally established the wage and fringe benefit structure for all Department employees.

Based on the above and foregoing Findings of fact, the Commission makes and issues the following:

CONCLUSIONS OF LAW

All full-time employees of the Village of Richfield whose primary function includes but is not limited to fire fighting, fire prevention, and emergency medical services excluding supervisors and confidential, managerial and executive employees is an appropriate collective bargaining unit within the meaning of Wis. Stats. § 111.70(4)(d)2.a.

Based on the above and forgoing Findings of Fact and Conclusion of Law, the Commission makes and issues the following:

DIRECTION OF ELECTION

That an election by secret ballot shall 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 full-time employees of the Village of Richfield whose primary function includes but is not limited to fire fighting, fire prevention, and emergency medical services, excluding supervisors and confidential, managerial and executive employees, who were employed on February 25, 2026, except such employees as may prior to the election leave or be removed from the bargaining unit, for the purpose of determining whether a majority of the voting employees vote to be represented by the Labor Organization, for the purpose of collective bargaining with the Village of Richfield, or whether such employees vote not to be so represented by said Labor Organization.

Issued at the City of Madison, Wisconsin, this 25th day of February 2026.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Electronically signed by: Peter G. Davis

Peter G. Davis, Hearing Examiner