

## Chapter ERB 4

**REFERENDUM CONCERNING ALL-UNION AGREEMENTS, (Section 111.06 (1) (c), Wis. Stats.)**

ERB 4.01	Petitioner	ERB 4.04	Referendum report
ERB 4.02	Petition	ERB 4.05	Objection
ERB 4.03	Stipulation for referendum		

**ERB 4.01 Petitioner.** Before the execution of an all-union agreement, the employer or any person interested, shall petition the board for a referendum to determine whether two-thirds or more of the employes in an appropriate collective bargaining unit desire such agreement. The petition shall be prepared on a form furnished by the board, and the original and 5 copies thereof shall be signed and filed with the board.

**ERB 4.02 Petition.** Such petition shall include: (a) The full name and address of the petitioner;

(b) The name and address of the employer, the general nature of his business, and the approximate number of his employes;

(c) The types, classifications or groups of employes which constitute the appropriate collective bargaining unit, and the approximate number of employes within such unit on whose behalf the petition is filed;

(d) The name and address of representative or representatives of the employes in the appropriate collective bargaining unit;

(e) Any other facts which the petitioner considers relevant.

**ERB 4.03 Stipulation for referendum.** If it appears to the board that no dispute exists between the interested parties as to the conduct of a referendum, said parties may enter into a stipulation for referendum, as prescribed by the board. The board shall thereupon conduct the referendum in accordance with such stipulation. If no such stipulation is consummated, the board may hold a hearing, in which event it will serve upon the petitioner and upon any other interested parties, a copy of the petition and a notice of hearing. At such hearing, the board shall determine the facts necessary to conduct the referendum. If, upon completion of such hearing, the board concludes that a secret ballot should be taken, it may direct that a referendum be conducted in the appropriate collective bargaining unit upon such terms as it may specify.

**ERB 4.04 Referendum report.** The agent of the board conducting a referendum shall make a report containing a tally of votes, serve a copy of such report upon each party in interest, and transmit a copy thereof to the board. Following such referendum, the board shall make findings and certify the results to all parties in interest.

**ERB 4.05 Objection.** Any party to the proceeding who desires to file an objection to the conduct of the referendum shall do so within 5 days after receipt of the copy of such report. Such objection shall be in writing, and shall contain a brief statement of the facts upon which the objection is based. The original and 3 copies of such objection shall be signed and filed with the board, the original being sworn to. The objector shall serve a copy upon each of the other parties. If it appears to the board that any substantial question was raised thereby, the board shall decide such question before proceeding to a final determination.