

Chapter ERC 4

REFERENDUM CONCERNING ALL-UNION AGREEMENTS

ERC 4.01 Petitioner.
 ERC 4.02 Petition.
 ERC 4.03 Stipulation for referendum.

ERC 4.04 Referendum report.
 ERC 4.05 Objection.

Note: Chapter ERB 4 was renumbered chapter ERC 4 under s. 13.93 (2m) (b) 1., Stats., Register, December, 1994, No. 468.

Note: See s. 111.06 (1) (c), Stats.

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

History: 1-2-56; am. Register, March, 1971, No. 183, eff. 4-1-71; am. Register, June, 1973, No. 210, eff. 7-1-73.

ERC 4.02 Petition. (1) 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 the business, and the approximate number of 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.

History: 1-2-56; corrections in (1) (b) made under s. 13.93 (2m) (b) 5., Stats., Register, December, 1994, No. 468.

ERC 4.03 Stipulation for referendum. If it appears to the commission 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 commission.

The commission shall thereupon conduct the referendum in accordance with such stipulation. If no such stipulation is consummated, the commission 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 commission shall determine the facts necessary to conduct the referendum. If, upon completion of such hearing, the commission 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.

History: 1-2-56; am. Register, March, 1971, No. 183, eff. 4-1-71.

ERC 4.04 Referendum report. The agent of the commission 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 commission. Following such referendum, the commission shall make findings and certify the results to all parties in interest.

History: 1-2-56; am. Register, March, 1971, No. 183, eff. 4-1-71.

ERC 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 commission, the original being sworn to. The objector shall serve a copy upon each of the other parties. If it appears to the commission that any substantial question was raised thereby, the commission shall decide such question before proceeding to a final determination.

History: 1-2-56; am. Register, March, 1971, No. 183, eff. 4-1-71.