

EMPLOYMENT RELATIONS COMMISSION  
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**Chapter ERB 4**

**REFERENDUM CONCERNING ALL-UNION AGREEMENTS**

(s. 111.06 (1) (c), Stats.)

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**ERB 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.

**ERB 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 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 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.

**ERB 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

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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.

**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 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.