

Chapter ERB 4

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

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|----------|----------------------------|----------|-------------------|
| 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.