

## Chapter ERC 7

### CLARIFICATION OF PRIVATE SECTOR BARGAINING UNITS

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**Note:** Chapter ERB 7 was renumbered chapter ERC 7 under s. 13.93 (2m) (b) 1., Stats., Register, December, 1994, No. 468. Chapter ERC 7 as it existed on June 30, 2006, was repealed and a new chapter ERC 7 was created, Register June 2006 No. 606, effective July 1, 2006.

**ERC 7.01 Scope.** This chapter governs the general procedure relating to clarification of private sector bargaining units under the Wisconsin Employment Peace Act to determine whether one or more positions are properly included in or excluded from an existing collective bargaining unit.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

**ERC 7.02 Petition for unit clarification.** A petition to determine whether one or more positions shall be included in or excluded from an existing collective bargaining unit may be filed by the exclusive representative of the bargaining unit or by the employer or by an authorized representative of one of those parties. Practice and procedure for filing and processing of a petition for unit clarification shall otherwise be as set forth in s. ERC 17.02.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 7.03 Withdrawal of petition.** Practice and procedure for withdrawal of a petition for unit clarification shall be as set forth in s. ERC 17.03.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 7.04 Commission pre-hearing action on petition.** Practice and procedure for commission pre-hearing action on a petition for unit clarification shall be as set forth in s. ERC 17.04.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 7.05 Motions.** Practice and procedure for motions in unit clarification proceedings shall be as set forth in s. ERC 18.06.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 7.06 Hearings.** Practice and procedure for hearings in unit clarification proceedings shall be as set forth in s. ERC 17.06, except that references to the “Municipal Employment Relations Act” shall be to the “Wisconsin Employment Peace Act.”

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 7.07 Order clarifying bargaining unit or other dispositional order.** Practice and procedure regarding commission issuance of an order clarifying bargaining unit or other dispositional order in a unit clarification proceeding shall be as set forth in s. ERC 17.07.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

**ERC 7.08 Petition for rehearing.** Any person aggrieved by a final order of the commission may, within 20 days after service of the order, file a written petition for rehearing which shall specify in detail the grounds for the relief sought and supporting authorities. Practice and procedure for filing and processing a petition for rehearing shall be as set forth in s. ERC 18.11.

**History:** CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.