

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH I

BROWN COUNTY

BOARD OF EDUCATION, JOINT SCHOOL  
DISTRICT NO. 1, CITY OF GREEN BAY,  
ET AL.; GREEN BAY, WISCONSIN, and  
EDWIN OLDS, Superintendent,

Petitioners,

NOTICE OF ENTRY OF  
JUDGMENT

WISCONSIN EMPLOYMENT RELATIONS  
COMMISSION;

Respondent.

TO: Mr. Richard Greenwood  
Acting City Attorney  
City Hall  
Green Bay, Wisconsin 54301

PLEASE TAKE NOTICE that a judgment, of which a true and correct copy is hereto attached, was duly entered in the above action in the Circuit Court for Brown County, Wisconsin, on the 24th day of January, 1973.

Dated at Madison, Wisconsin this 29th day of January, 1973.

ROBERT W. WARREN,  
Attorney General.

Charles D. Hoornstra /s/  
CHARLES D. HOORNSTRA,  
Assistant Attorney General,  
Attorneys for Respondent.

BOARD OF EDUCATION, JOINT SCHOOL  
DISTRICT NO. 1, CITY OF GREEN BAY,  
ET AL., GREEN BAY, WISCONSIN, and  
EDWIN OLDS, Superintendent,

Petitioners,

J U D G M E N T

WISCONSIN EMPLOYMENT RELATIONS  
COMMISSION,

Respondent.

The above entitled matter having come on for hearing on the 13th day of July, 1972, at which time it was heard before the court without a jury, Edwin L. Doepke, City Attorney, City of Green Bay, Wisconsin, appearing for the petitioners, Board of Education, Joint School District No. 1, City of Green Bay, et al., Green Bay, Wisconsin, and Edwin Olds, Superintendent, and William H. Wilker, Assistant Attorney General, appearing on behalf of the respondent, Wisconsin Employment Relations Commission, and Lawton & Cates by John C. Carlson, appearing on behalf of intervenors Norbert McHugh, Louis Hutzler, Darrel Molzahn, Ann McHugh and Green Bay Employees Local 1672-B, and the court having heard the arguments and considered the briefs of counsel and being duly advised in the premises, and having taken the matter under advisement and having on the 20th day of December, 1972, filed its decision directing judgment dismissing the petition for review of a certain order of the Wisconsin Employment Relations Commission,

NOW, THEREFORE, IT IS ADJUDGED AND DECREED:

1. That the Amended Findings of Fact, Conclusions of Law and Order of the Wisconsin Employment Relations Commission in the cases entitled: Norbert McHugh, Louis Hutzler, Darrel Molzahn, Ann McHugh, and Green Bay Employees, Local 1672-B, AFSCME, AFL-CIO, complainants, vs. Board of Education, Joint School District No. 1, City of Green Bay, et al., Green Bay, Wisconsin, and Edwin Olds, Superintendent, respondents, Case VI, No. 12944, MP-63, Dec. No. 9095-E; and Board of Education, Joint School District No. 1, City of Green Bay, et al., Green Bay, Wisconsin, and Edwin Olds, Superintendent, complainants, vs. Norbert McHugh, Louis Hutzler, Darrel Molzahn, Ann McHugh, and Green Bay Employees, Local 1672-B, AFSCME, AFL-CIO, respondents, Case VII, No. 13098, MP-70, Dec. No. 9095-E; dated the 16th day of September, 1971, be and the same hereby are affirmed.

2. That the Board of Education, Joint School District No. 1, City of Green Bay, et al., Green Bay, Wisconsin, its officers and agents including Edwin Olds, Superintendent, shall forthwith:

A. Cease and desist from:

- (1) Threatening its employees with loss of employment because of their having engaged in lawful concerted activity on behalf of Green Bay Employees Local 1672-B, AFSCME, AFL-CIO, or any other labor organization.
- (2) Discharging, or otherwise discriminating against employees, because of their having engaged in lawful concerted activity on behalf of Green Bay Employees Local 1672-B, AFSCME, AFL-CIO, or any other labor organization; and

(3) In any other manner unlawfully interfering with, restraining or coercing, or discriminating against any of its employees in the exercise of their rights under Section 111.70 (2) of the Wisconsin Statutes.

B. Take the following affirmative action to effectuate the policies of Section 111.70, Wisconsin Statutes:

(1) Immediately offer to reinstate to their former or substantially equivalent positions, and without prejudice to their seniority or other rights, Norbert McHugh, Louis Hutzler, Darrel Molzahn and Ann McHugh;

(2) Make whole Norbert McHugh, Louis Hutzler, Darrel Molzahn and Ann McHugh for any loss of wages and other benefits which each of them may have suffered as a result of their discriminatory discharge by payment to each of them a sum of money equivalent to that each would normally have earned as wages, from May 12, 1969, to the date of an unconditional offer of reinstatement to each of them, together with other benefits each may have earned during said period, less any earnings which each of them may have received during said period, plus interest thereon at the legal rate from the date of September 16, 1971.

(3) Notify all of its maintenance and custodial employees by posting in conspicuous places, where notices to such employees are usually posted, throughout all of the school buildings operated by it, where all such employees may observe them, copies of the Notice attached hereto and marked "APPENDIX A." Copies of such Notice shall be prepared by it and shall be signed by the President of the School Board and by the Superintendent of Schools, and shall be posted immediately upon the receipt of the copy of this Order, and shall remain posted for thirty (30) days after its initial posting. Reasonable steps shall be taken by the Superintendent of Schools to insure that said Notices are not altered, defaced or covered by other materials.

(4) Notify the Wisconsin Employment Relations Commission, in writing, of the steps that have been taken to comply herewith.

3. That the Complaint in the case of Board of Education, Joint School District No. 1, City of Green Bay, et al.; Green Bay, Wisconsin; and Edwin Olds, Superintendent, v. Norbert McHugh, Louis Hutzler, Darrel Molzahn, Ann McHugh, and Green Bay Employees Local 1672-B, AFSCME, AFL-CIO, Case VII No. 13098, MP-70, Dec. No. 9095-E, be and the same hereby is dismissed, and the Petition for Review to the Circuit Court for Brown County in the action captioned Board of Education, Joint School District No. 1, City of Green Bay, et al., Green Bay, Wisconsin, and Edwin Olds, Superintendent, petitioners, vs. Wisconsin Employment Relations Commission, respondent, be and the same hereby is denied and dismissed.

Dated this 24th day of January, 1973.

BY THE COURT:

/s/ Donald W. Gleason  
Circuit Judge

Approved as to form:

/s/ John C. Carlson 1/16/73

John C. Carlson

Attorney for Norbert McHugh, Louis Hutzler, Darrel Molzahn, Ann McHugh and Green Bay Employees Local 1672-B

"APPENDIX A"

NOTICE TO ALL MAINTENANCE AND CUSTODIAL EMPLOYEES

Pursuant to the Order of the Wisconsin Employment Relations Commission, and in order to effectuate the policies of Section 111.70 of the Wisconsin Statutes, we hereby notify our employees that:

WE WILL NOT discourage membership in Green Bay Employees Local 1672-B, AFSCME, AFL-CIO, or any other labor organization of our employees, by discharging any of our employees or in any other manner discriminating against them, in regard to their hire, tenure, or any term or condition of their employment.

WE WILL NOT threaten any employee with the loss of employment for their participation in and association with Green Bay Employees Local 1672-B, AFSCME, AFL-CIO, including participating in lawful acts in the dissemination of information to fellow members of Local 1672-B, AFSCME, AFL-CIO, with respect to the non-membership from any employee in said labor organization.

WE WILL NOT in any other manner interfere with, restrain or coerce our maintenance and custodial employees, in the exercise of their right of self-organization and the right to affiliate with Green Bay Employees Local 1672-B, AFSCME, AFL-CIO, or any other labor organization, or in the exercise of their right to be represented by Green Bay Employees Local 1672-B, AFSCME, AFL-CIO, in conferences and negotiations with the School Board, officers and agents on questions of wages, hours and conditions of employment, or the right to refrain from such concerted activities.

WE WILL immediately make whole Norbert McHugh, Louis Hutzler, Darrel Molzahn and Ann McHugh for any loss of pay and other benefits suffered by reason of our unlawful discrimination and interference, restraint and coercion, by paying them the sum of money they normally would have earned in salary and other benefits for the period beginning with the date of their unlawful discharges, to the date of the School Board's unconditional offer of reinstatement, less any other earnings which they may have received during said period.

BOARD OF EDUCATION, JOINT SCHOOL  
DISTRICT NO. 1, CITY OF GREEN BAY  
ET AL., GREEN BAY, WISCONSIN

\_\_\_\_\_  
President, Board of Education

\_\_\_\_\_  
Superintendent of Schools

Dated \_\_\_\_\_

THIS NOTICE MUST REMAIN POSTED FOR THIRTY (30) DAYS FROM THE DATE HEREOF AND MUST NOT BE ALTERED, DEFACED OR COVERED BY ANY OTHER MATERIAL.