

STATE OF WISCONSIN

:

CIRCUIT COURT

:

BROWN COUNTY

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

Petitioners,

v.

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Respondent.

ORDER FOR REMAND

Circuit Court
Case No. 825

Decision No. 9095-E

The motion of the Wisconsin Employment Relations Commission for remand with leave to adduce evidence having come before the court for hearing on September 30, 1974; the above-named petitioners appearing by J. Dennis McKay, Esq; the said commission appearing by Robert W. Warren, Attorney General, through Charles D. Hoornstra, Assistant Attorney General; and employes Norbert McHugh and Louis Hutzler appearing by John C. Carlson for Lawton & Cates, attorneys for Green Bay Employees, Local 1672-B, AFSCME, AFL-CIO; and the court having heard the arguments of counsel and having then and there made a bench decision that there exists a dispute concerning the meaning of the make-whole remedy respecting said employes McHugh and Hutzler the resolution of which requires taking evidence and making findings of fact, and that there is reasonable cause for the failure of the parties to have adduced such evidence in the original hearing before the commission;

Now, therefore, on motion of the said Mr. Hoornstra,

IT IS ORDERED that this case be, and the same hereby is, remanded to said commission with leave to the petitioners herein and the said Green Bay Employees, Local 1672-B, to adduce evidence on the question of the extent of the petitioners' compliance with the commission's order of September 16, 1971, and this court's judgment of January 24, 1973, respecting said employes Norbert McHugh and Louis Hutzler.

IT IS FURTHER ORDERED, pursuant to sec. 111.07 (7), Stats., that after taking such evidence the commission shall modify its findings as to facts or make new findings of facts as appropriate and shall file with this court its recommendations, if any, for the modification or setting aside of its original order.

Dated this 10th day of October, 1974.

BY THE COURT:

Donald W. Gleason /s/
Donald W. Gleason, Circuit Judge

APPROVED AS TO FORM:

Oct. 2, 1974
Madison, Wisconsin

John C. Carlson /s/
John C. Carlson

Oct. 7, 1974
Green Bay, Wisconsin

J. Dennis McKay /s/
J. Dennis McKay