

STATE OF WISCONSIN : CIRCUIT COURT : ROCK COUNTY

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Petitioner,

v.

CITY OF EVANSVILLE,

Respondent,

and

GENERAL DRIVERS, DAIRY EMPLOYEES and
HELPERS LOCAL UNION NO. 579, Affiliated
with the INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN
and HELPERS OF AMERICA,

Intervenor-Respondent.

TO: Mr. Jack Walker
119 Monona Avenue
Madison, Wisconsin
and
Mr. William H. Bewick
14 West Main Street
Evansville, Wisconsin
Attorneys for Respondent.

Mr. John S. Williamson, Jr.
211 West Wisconsin Avenue
Milwaukee, Wisconsin
Attorney for Intervenor-
Respondent.

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 Rock County, Wisconsin,
on the 16th day of January, 1973.

Dated at Madison, Wisconsin, this 19th day of
January, 1973.

ROBERT W. WARREN,
Attorney General,

CHARLES D. HOORNSTRA,
Assistant Attorney General,

Attorneys for Petitioner,
Wisconsin Employment
Relations Commission.

STATE OF WISCONSIN

:

CIRCUIT COURT

:

ROCK COUNTY

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Petitioner,

v.

J U D G M E N T

CITY OF EVANSVILLE,

Case No. 14159

Respondent,

and

GENERAL DRIVERS, DAIRY EMPLOYEES and
HELPERS LOCAL UNION NO. 579, Affiliated
with the INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN
and HELPERS OF AMERICA,

Intervenor-Respondent.

The above entitled matters having come on for hearing on the 11th day of February, 1972, before the court without a jury, upon the petition of the Wisconsin Employment Relations Commission for enforcement of a certain order pursuant to sec. 111.07 (7), Stats., and upon the return of said Commission, Robert W. Warren, Attorney General, by William H. Wilker, Assistant Attorney General, appearing for the petitioner, Melli, Shiels, Walker and Pease, by Joseph A. Melli and W.H. Bewick, City Attorney, appearing for the respondent, and Goldberg, Previant and Uelmen, by Kenneth R. Loebel, appearing for the Intervenor-respondent, and the court having heard the arguments of counsel and being fully advised in the premises,

Now, therefore, upon motion of William H. Wilker, Assistant Attorney General,

IT IS ADJUDGED AND DECREED that the order of the Wisconsin Employment Relations Commission entered on the 15th day of March, 1971, in the matter of General Drivers, Dairy Employees and Helpers Local 579, Affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, complainant, v. City of Evansville, respondent, Case II, No. 13430 MP-79, Decision No. 9440-C. which order affirms the decision, findings of fact and conclusions of law, and order of its Examiner entered on the 21st day of October, 1970, in the matter of General Drivers, Dairy Employees and Helpers Local 579, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, complainant, v. City of Evansville, respondent, Case II, No. 13430 MP-79, Decision No. 9440-A, be, and the same is hereby confirmed and enforced, the court reserving jurisdiction to make such further order or judgment in the premises as may be necessary to give full force and effect to the order of the Commission and the enforcement thereof on the evidence in the record or on the taking of such further evidence as appears to the court to be necessary, the present judgment and

decree of the court to be deemed interlocutory as to those matters that may call for or require further action on the part of the court.

IT IS FURTHER ADJUDGED AND DECREED that the respondent, City of Evansville, its officers and agents, shall immediately:

1. Cease and desist from:

(a) Refusing to recognize General Drivers, Dairy Employees and Helpers Local 579, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America as the exclusive representative for all employees of the Public Works Department, Water and Light Department and nonuniformed employees of the Public Safety Department, excluding all supervisors, confidential employees and clerical employees.

(b) Threatening its employees with the loss of benefits previously enjoyed by them for the purpose of discouraging their activities on behalf of and membership in General Drivers, Dairy Employees and Helpers Local 579, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or in any other labor organization.

(c) Promising its employees improved benefits to discourage their activities on behalf of and membership in General Drivers, Dairy Employees and Helpers Local 579, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or any other labor organization.

(d) Interrogating its employees concerning their affiliation with General Drivers, Dairy Employees and Helpers Local 579, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or any other labor organization.

2. Take the following affirmative action designed to effectuate the policies of sec. 111.70, Wis. Stats.:

(a) Recognize General Drivers, Dairy Employees and Helpers Local 579, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America as the exclusive representative for all employees of the Public Works Department, Water and Light Department and nonuniformed employees of the Public Safety Department, excluding all supervisors, confidential employees and clerical employees.

(b) Notify all of its employees by posting in conspicuous places on its premises, where notices to all its employees are usually posted, a copy of the Notice attached hereto and marked Appendix "A". Such copy shall be signed by the Mayor of the City of Evansville, and shall be posted immediately upon 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 Mayor of the City of Evansville to insure that said Notices are not altered, defaced or covered by other materials.

(c) Notify the Wisconsin Employment Relations Commission, in writing, within twenty (20) days from the date of the receipt of this Order, of the steps that have been taken to comply therewith.

IT IS FURTHER ADJUDGED AND DECREED that the respondent's petition for review of the said order of the Commission, Case No. 14177 in this Court, affirming the said order of its Examiner be, and the same is dismissed.

Dated this 16th day of January, 1973.

BY THE COURT:

s/ Arthur L. Luebke
CIRCUIT JUDGE

Approved as to form:
Melli, Shiels, Walker & Pease

/s/ Jack D. Walker
Melli, Shiels, Walker & Pease
Attorneys for City of Evansville

/s/ Goldberg, Previant & Uelmen
by John S. Williamson, Jr.
Goldberg, Previant & Uelmen
Attorneys for General Drivers, Dairy
Employees and Helpers Local Union
No. 579

"APPENDIX A"

NOTICE TO ALL EMPLOYEES

Pursuant to the Order of an Examiner 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:

1. WE WILL recognize General Drivers, Dairy Employees and Helpers Local 579, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America as the exclusive representative for all employees of the Public Works Department, Water and Light Department and nonuniformed employees of the Public Safety Department, excluding all supervisors, confidential employees and clerical employees.
2. WE WILL NOT refuse to recognize General Drivers, Dairy Employees and Helpers Local 579, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America as the exclusive representative for all employees of the Public Works Department, Water and Light Department and nonuniformed employees of the Public Safety Department, excluding all supervisors, confidential employees and clerical employees.
3. WE WILL NOT threaten employees with the loss of benefits previously enjoyed by them for the purpose of discouraging their activities on behalf of and membership in General Drivers, Dairy Employees and Helpers Local 579, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or in any other labor organization.
4. WE WILL NOT promise employees improved benefits to discourage their activities on behalf of and membership in General Drivers, Dairy Employees and Helpers Local 579, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or any other labor organization.
5. WE WILL NOT interrogate employees concerning their affiliation with General Drivers, Dairy Employees and Helpers Local 579, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, or any other labor organization.

CITY OF EVANSVILLE

Mayor, City of Evansville

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.