

STATE OF WISCONSIN

IN CIRCUIT COURT

RACINE COUNTY

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MEMORIAL HOSPITAL ASSOCIATION,

Petitioner,

v.

WISCONSIN EMPLOYMENT RELATIONS  
COMMISSION,

Respondent.

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NOTICE OF ENTRY OF  
JUDGMENT

Circuit Court  
Case No. 71-687-CI  
Decision Nos. 10010-B  
10011-B

To: T. Michael Bolger  
780 North Water Street  
Milwaukee, Wisconsin 53202  
Attorney for Petitioner

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 Racine County, Wisconsin, on the 11th day of September, 1973.

Dated at Madison, Wisconsin, this 14th day of September, 1973.

ROBERT W. WARREN  
Attorney General

CHARLES D. HOORNSTRA  
Assistant Attorney General

Attorneys for Respondent  
Wisconsin Employment Relations  
Commission

STATE OF WISCONSIN : CIRCUIT COURT : RACINE COUNTY  
BRANCH II

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MEMORIAL HOSPITAL ASSOCIATION,

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J U D G M E N T

Circuit Court  
Case No. 71-687-CI

The above entitled matter having come on for hearing on the 17th day of May, 1972, before the court without a jury, upon the petition of Memorial Hospital Association for review of a certain order of the Wisconsin Employment Relations Commission and upon the petition of said Commission for enforcement of its said order, pursuant to sec. 111.07 (7) and (8), Stats., and Robert W. Warren, Attorney General, by William H. Wilker, Assistant Attorney General, appearing for the Commission, T. Michael Bolger, Esq., appearing for said Memorial Hospital Association and Jay Schwartz, Esq., appearing for Local #150, Service & Hospital Employees International Union, AFL-CIO, and the court having heard the arguments of counsel and studied their briefs, and the court having entered a written decision on June 29, 1973,

Now, therefore, on motion of Charles D. Hoornstra, Assistant Attorney General,

IT IS ORDERED, ADJUDGED AND DECREED that the order of the Wisconsin Employment Relations Commission, entered on the 19th day of November, 1971, in the matter of "Local #150, Service & Hospital Employees International Union, AFL-CIO, et al, Complainant, vs. Memorial Hospital Association, Respondent, Case VII, No. 14196 Ce-1326, Decision No. 10010-B," and "Case VIII, No. 14197 Ce-1327, Decision No. 10011-B," 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 ORDERED, ADJUDGED AND DECREED that the Memorial Hospital Association, its officers and agents, shall immediately:

1. Cease and desist from refusing to bargain with the Representative of Local #150, Service and Hospital Employees International Union, AFL-CIO and interfering with the rights of its employes by failing and refusing to provide accurate information reasonably necessary for the effective representation of its employes.

2. Take the following affirmative action which the Court finds will effectuate the policies of the Act:

- (a) To the extent that it had not already done so, offer employment to Eva Birky, Margaret Brown, Betty Gill, Ruby Gobel, Hazel Keilty, Bernice Klein, Mildred Kominiak, Florence Lenz, Delores Lorenz, Genevive Prailes, Irma Reuss, Elizabeth Svatek and Barbara Victor in its Nurses' Aide Division in the positions that were given to the 14 Nurses' Aide Trainees on June 8 and 9, 1970, or substantially equivalent positions in accordance with paragraphs numbered (1) and (2) of the strike settlement agreement, without prejudice to their seniority or other rights and privileges.
- (b) Pay Eva Birky, Margaret Brown, Betty Gill, Ruby Gobel, Hazel Keilty, Bernice Klein, Mildred Kominiak, Florence Lenz, Delores Lorenz, Genevive Prailes, Irma Reuss, Elizabeth Svatek and Barbara Victor a sum of money equal to the amount of all back wages and fringe benefits lost as a result of its failure to recall them to the positions of employment in its Nurses' Aide Division which were given to the 14 Nurses' Aide Trainees on June 8 and 9, 1970, less the amount of any earnings they may have received since those dates to the date of the offer of employment in the positions of employment given to the 14 Nurses' Aide Trainees or substantially equivalent positions and less the amount of unemployment compensation, if any, received by them during said period, and in the event that they received unemployment compensation benefits, reimburse the Unemployment Compensation Division of the Wisconsin Department of Industry, Labor and Human Relations in such amount.
- (c) Upon timely written request provide Local #150, Service and Hospital Employees International Union, AFL-CIO with all information reasonably

necessary for the performance of its duties of the certified bargaining representative in administering and enforcing the strike settlement agreement including but not limited to the names and dates of hire of all employes in the four bargaining units who were employed on April 28, 1970 or who have been hired since that date.

- (d) Notify the Wisconsin Employment Relations Commission in writing within thirty (30) days of the service of notice of entry of this judgment what steps it has taken to comply herewith.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the petition for review filed herein by Memorial Hospital Association be, and the same hereby is, dismissed.

Dated this 11th day of September, 1973.

BY THE COURT:

/s/ Thomas P. Corbett  
THOMAS P. CORBETT  
Circuit Judge

APPROVED AS TO FORM:

T. Michael Bolger /s/  
T. MICHAEL BOLGER  
Quareles, Herriott, Clemons, Teschner & Noelke  
Attorneys for Memorial Hospital Association