

STATE OF WISCONSIN : CIRCUIT COURT : MARATHON COUNTY

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Petitioner,

v.

WALTER SCHIELD, d/b/a Schield
& Zillman,

Respondent.

NOTICE OF ENTRY OF
JUDGMENT

Circuit Court
Case No. 23480
Decision No. 10680-C

TO: Mr. James E. Low
Crooks, Low & Earl
Attorneys at Law
531 Washington Street
Wausau, Wisconsin 54401
Attorney for Respondent.

PLEASE TAKE NOTICE that a judgment of which a true and correct copy is hereto attached, was signed by the court on the 21st day of February, 1973, and duly entered in the Circuit Court for Marathon County, Wisconsin, on the 22nd day of February, 1973.

Dated at Madison, Wisconsin, this 5th day of March, 1973.

ROBERT W. WARREN,
Attorney General,

CHARLES D. HOORNSTRA,
Assistant Attorney General,

Attorneys for Petitioner.

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J U D G M E N T

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The above entitled matter having come on for hearing on the 5th day of February, 1973, 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 Robert W. Warren, Attorney General, by Charles D. Hoornstra, Assistant Attorney General, appearing for the petitioner, and James E. Low, appearing for the respondent, and the court having received testimony as to the extent, if any, that the respondent has complied with the subject order of the Commission, and the court finds that the respondent has complied to the extent that he has paid \$387.19 in substantial compliance with the said order of the Commission, and the court having heard the arguments of counsel and being fully advised in the premises,

Now, therefore, upon 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 24th day of October, 1972, in the matter of Local Union No. 364 of Sheet Metal Workers' International Association, complaint, vs. Schield & Zillman, respondent, Case I, No. 15106 Ce-1382, Decision No. 10680-C, which order affirms the decision, findings of fact and conclusions of law, and order of its Examiner entered on the 15th day of September, 1972, be, and the same is hereby confirmed and enforced, as modified below herein, 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 respondent, Walter Schield, d/b/a Schield & Zillman, shall immediately:

1. Cease and desist from violating the provisions of any collective bargaining agreement in effect between him and Local Union No. 364 of Sheet Metal Workers' International Association, namely Addendum V, which requires employer contributions to Vacation Accounts of employees, Addendum VI containing a Health and Welfare Fund requiring contributions for employees covered by the agreement, Addendum VII, containing a Pension Fund requiring contributions for employees and Addendum XVI requiring contributions to a Union Business Administration Fund.

2. Take the following affirmative action designed to effectuate the policies of Chapter 111, Wis. Stats.;

(a) Immediately make payments by certified check to the order of Local Union No. 364 of Sheet Metal Workers' International Association for the delinquent payments accumulated since May 1, 1971 through April 30, 1972 covering the four (4) aforementioned Funds in the amount of \$1611.15.

(b) Immediately make payment by certified check to the order of Local Union No. 364 of Sheet Metal Workers' International Association in the amount of \$100.00 for the cost of attorney's fees incurred by Complainant-Union on January 10, 1972 in collecting the delinquent payments to the aforementioned Funds.

(c) Immediately make payment by certified check to the order of Local Union No. 364 of Sheet Metal Workers' International Association in the amount of \$300.00 for its attorney's fees incurred on May 25, 1972, in collecting the delinquent payments to the aforesaid Funds, which sum has been determined to be due and owing as "actual fees and costs incurred" within the meaning of Addendum VIII of the collective bargaining agreement.

(d) Notify the Wisconsin Employment Relations Commission in writing within ten (10) days from the date of service of notice of entry of judgment as to what steps it has taken to comply herewith.

Dated this 21 day of February, 1973.

BY THE COURT:

/s/ Ronald D. Keberle
Circuit Judge