

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

KEARNEY & TRECKER CORPORATION,
Complainant,

VS.

LODGE 76, INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS,
AFL-CIO, and DISTRICT NO. 10, INTER-
NATIONAL ASSOCIATION OF MACHINISTS AND
AEROSPACE WORKERS, AFL-CIO,

Respondents.

Case XI
No. 15745 Cw-333
Decision No. 11083-C

ORDER AFFIRMING EXAMINER'S FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

Examiner George R. Fleischli having, on February 26, 1973, issued his Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, in the above entitled matter, and on March 13, 1973, the above named Respondents, by their Counsel, having timely filed a Petition for Review of said Examiner's decision; and on April 12, 1973, the Respondents, by their Counsel, having filed a brief in support of their Petition for Review; and the Commission having reviewed the record, the decision of the Examiner, the Petition for Review, and the brief filed in support thereof, being fully advised in the premises and being satisfied that the Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, issued by the Examiner should be affirmed;

NOW, THEREFORE, it is

ORDERED

That, pursuant to Section 111.07(5) of the Wisconsin Statutes, the Wisconsin Employment Relations Commission hereby adopts the Examiner's Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, issued in the above entitled matter as its Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, and, therefore, the Respondent, Lodge 76, International Association of Machinists and Aerospace Workers,

No. 11083-C

AFL-CIO, shall notify the Wisconsin Employment Relations Commission within ten (10) days of the receipt of a copy of this Order as to what steps it has taken to comply therewith. 1/

Given under our hands and seal at the
City of Madison, Wisconsin, this 23rd
day of April, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney
Morris Slavney, Chairman

Zel S. Rice II
Zel S. Rice II, Commissioner

Jos. B. Kerkman
Jos. B. Kerkman, Commissioner

1/ In its Petition for Review the Respondent Lodge objected solely to the Conclusions of Law made by the Examiner, contending that the controversy was moot, and further that the activity involved in the matter was pre-empted by the National Labor Relations Board. The same issues were raised in the proceeding before the Examiner. He dealt with such issues in his Memorandum, and we affirm his Findings of Fact, Conclusions of Law and Order, and we also adopt his well-reasoned rationale in his Memorandum with regard to the issues involved.