

STATE OF WISCONSIN

:

CIRCUIT COURT
BRANCH 6

:

MILWAUKEE COUNTY

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

Petitioners,

v.

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Respondent.

NOTICE OF ENTRY OF
JUDGMENT

Circuit Court
Case No. 410-071

Decision No. 11083-C

TO: Mr. Robert E. Gratz
Goldberg, Previant & Uelmen
211 West Wisconsin Avenue
Milwaukee, Wisconsin 53203
Attorney for Petitioners.

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 Milwaukee County, Wisconsin, on the 29th day of August, 1973.

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

ROBERT W. WARREN
Attorney General

CHARLES D. HOORNSTRA
Assistant Attorney General

Attorneys for Respondent,
Wisconsin Employment
Relations Commission.

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

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WISCONSIN EMPLOYMENT RELATIONS
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The above entitled matter having come on for hearing on the 30th day of July, 1973, upon the petition of the Petitioners above named for a review of an Order of the Wisconsin Employment Relations Commission, and on the counter-petition of the Wisconsin Employment Relations Commission for enforcement of the same order,

And the Petitioner having appeared by Attorney Robert E. Gratz, the Wisconsin Employment Relations Commission having appeared by Charles D. Hoornstra, Assistant Attorney General and Kearney & Trecker Corporation having appeared by Egon W. Peck, and the Court having heard the argument of Counsel and having reviewed their briefs, and on motion of the said Charles D. Hoornstra for the Wisconsin Employment Relations Commission,

IT IS ORDERED, ADJUDGED, AND DECREED that the Order of the Wisconsin Employment Relations Commission, entered on the 23rd day of April, 1973, in the matter of "Kearney & Trecker, Complainant vs. Lodge 76, International Association of Machinists and Aerospace Workers, AFL-CIO and District No. 10, International Association of Machinists and Aerospace Workers, AFL-CIO, Respondent, Case XI, No. 15745 Cw-333, Decision No. 11083-C" be, and the same hereby is, 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 said 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 Order and Judgment 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 Petitioner, Lodge 76, International Association of Machinists and Aerospace Workers, AFL-CIO, its officers and agents, shall:

1. Immediately cease and desist from authorizing, encouraging or condoning any concerted refusal to accept overtime assignments at the Milwaukee area plants of Kearney & Trecker Corporation.

2. Immediately take the following affirmative action which the Court finds will effectuate the policies of the Wisconsin Employment Peace Act;

(a) Send a copy of the letter marked "Exhibit A", attached hereto, to all employees of the Kearney & Trecker Corporation, who are members of the Petitioner's Lodge 76. Said letter should be signed by the principal officer of Lodge 76 and directed to the employees' last known address.

(b) Immediately upon resumption of bargaining for a successor collective bargaining agreement, post written notices in conformity with "Exhibit B", attached hereto, in its offices and in any places provided by Kearney & Trecker Corporation for the posting of notices. Said notices shall be signed by the principal officer of Lodge 76 and shall remain posted throughout said negotiations. Lodge 76 shall take all reasonable steps necessary to insure that said notices are not altered, defaced or covered by any other material.

(c) Notify the Wisconsin Employment Relations Commission, in writing, within thirty (30) days from the receipt of notice of enter of this Order and Judgment regarding what steps it has taken to comply with this Order and Judgment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petition of the aforesaid Petitioners for review of the said Order of the Commission be, and the same hereby is, dismissed.

Dated this 29th day of August, 1973.

BY THE COURT:

Robert W. Landry /s/
R.W. Landry, Circuit Judge

Approved as to form

Robert E. Gratz /s/
Robert E. Gratz,
Attorney for Petitioners

"EXHIBIT A"

TO THE MEMBERSHIP:

Pursuant to an Order of the Wisconsin Employment Relations Commission, all employees of Lodge 76, International Association of Machinists and Aerospace Workers, AFL-CIO, are hereby notified that the action taken by the membership of engaging in a concerted refusal to work overtime during the period beginning on March 11, 1972 and continuing thereafter, constitutes a violation of s 111.06 (2) (h) of the Wisconsin Employment Peace Act, and that hereafter Lodge 76 will not, in any way, authorize, encourage, or condone such conduct on the part of its membership.

Principal Officer

"EXHIBIT B"

NOTICE

Pursuant to an Order of the Wisconsin Employment Relations Commission, all employees of Kearney & Trecker Corporation represented by Lodge 76, International Association of Machinists and Aerospace Workers, AFL-CIO, are hereby notified that the action taken by the membership of said organization, of engaging in a concerted refusal to work overtime during the period beginning on March 11, 1972, and continuing thereafter, constitutes a violation of s 111.06(2) (h) of the Wisconsin Employment Peace Act and that all members of said organization are hereby asked to refrain from engaging in any concerted refusal to accept assignments of overtime work throughout the negotiations currently in progress with Kearney & Trecker.

Principal Officer