

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

-----  
WISCONSIN RIVER VALLEY DISTRICT :  
COUNCIL OF CARPENTERS, :  
: :  
Complainant, : Case I  
: No. 16304 Ce-1456  
vs. : Decision No. 11474-A  
: :  
ELLIS STONE CONSTRUCTION COMPANY, :  
: :  
Respondent. :  
-----

ORDER OF DISMISSAL

A complaint of unfair labor practices having been filed with the Wisconsin Employment Relations Commission by Wisconsin River Valley District Council of Carpenters wherein it alleged that Ellis Stone Construction Company, Stevens Point, Wisconsin, had committed unfair labor practices within the meaning of Section 111.06 of the Wisconsin Statutes; and the Commission having appointed the undersigned as Examiner to make and issue Findings of Fact, Conclusions of Law and Orders in the matter; and a hearing having been scheduled in the matter and prior to any further action in the case, the Complainant, by its Counsel, having advised the Examiner that the parties had settled the matter in dispute and that the Complainant desired to withdraw its complaint;

NOW, THEREFORE, it is

ORDERED

That the complaint in the above entitled matter be, and the same hereby is, dismissed.

Dated at Madison, Wisconsin, this 29th day of December, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By George R. Fleischli  
George R. Fleischli, Examiner

MEMORANDUM ACCOMPANYING ORDER OF DISMISSAL

The Complainant indicated that the settlement agreed to between the parties in this case had not yet been effectuated and that it desired that the complaint be subject to refiling in the event that the settlement agreement is not complied with. In a complaint case where the complaint is dismissed on the basis of a settlement agreement, the Commission will not ordinarily entertain a refiling of a complaint alleging the same matter previously complained of unless it is determined that the settlement agreement reached between the parties has not been complied with or that the settlement agreement reached is repugnant to the policies expressed in the Wisconsin Employment Peace Act. If in this case the Respondent does not comply with the terms of the settlement agreement, the complaint may be refiled along with an allegation that the settlement agreement previously reached has not been complied with.

Dated at Madison, Wisconsin, this 29th day of December, 1972.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
George R. Fleischli, Examiner