

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of	:	
MILWAUKEE DEPUTY SHERIFFS'	:	
ASSOCIATION	:	Case LI
To Initiate Final and Binding	:	No. 16282 MIA-25
Arbitration Between Said	:	Decision No. 11557-A
Petitioner and	:	
MILWAUKEE COUNTY	:	

ORDER DISMISSING PETITION TO STRIKE UNAUTHORIZED PORTION OF ARBITRATOR'S AWARD

The Wisconsin Employment Relations Commission having on January 23, 1973, issued Findings of Fact, Conclusion of Law, Certification of Results of Investigation and Order Requiring Arbitration in the above entitled matter; and subsequently, the parties having proceeded to Arbitration before an arbitration panel consisting of Warren H. Dunn, David C. Sullivan and Stephen J. Hajduch, all residents of Milwaukee County, Wisconsin; and on May 7, 1973, said panel having issued their award in the above entitled matter; and on May 29, 1973, said panel having issued an addendum to such award, all pursuant to Section 111.77 of the Municipal Employment Relations Act; and on June 5, 1973, Milwaukee Deputy Sheriffs' Association, by its Counsel, having filed a petition requesting the Commission to strike an alleged unauthorized portion of the award; and on June 20, 1973, Milwaukee County, by its Assistant Corporation Counsel, having filed a motion to dismiss said petition; and on June 26, 1973, the Milwaukee Deputy Sheriffs' Association, by its Counsel, having filed a statement in support of its contention that the Commission has the authority to grant the relief requested; and the Commission being fully advised in the premises and being satisfied that the petition to strike a portion of the award should be denied;

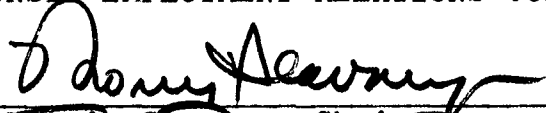
NOW, THEREFORE, it is


ORDERED

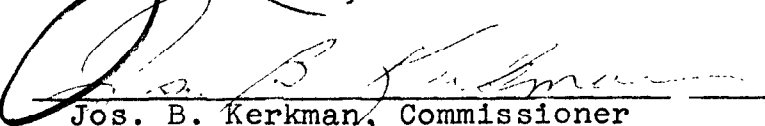
That the petition filed by Milwaukee Deputy Sheriffs' Association to strike an alleged unauthorized portion of the award issued in the above entitled matter be, and the same hereby is, dismissed.

Given under our hands and seal at the City of Madison, Wisconsin, this 26th day of June, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
 Morris Slavovoy, Chairman


 Zel S. Rise II, Commissioner


 Jos. B. Kerkman, Commissioner

MEMORANDUM ACCOMPANYING ORDER
DISMISSING PETITION TO STRIKE UNAUTHORIZED
PORTION OF ARBITRATOR'S AWARD

Following an arbitration award and an addendum thereto by a majority of a panel of three arbitrators, issued pursuant to Section 111.77 of the Municipal Employment Relations Act, the Milwaukee Deputy Sheriffs' Association, by its Counsel, filed a petition to strike an alleged unauthorized portion of the arbitration award. Thereafter, the County, by its Assistant Corporation Counsel, filed a motion requesting the Commission to dismiss such petition. On June 26, 1973, the Milwaukee Deputy Sheriffs' Association, by its Counsel, filed a statement in support of its contention that the Commission had authority to grant the relief requested. The Commission deems it unnecessary to discuss either the petition, the statement in support thereof, or the motion to dismiss same in detail for the simple reason that the Commission has no authority to review arbitration awards issued pursuant to Section 111.77 of the Municipal Employment Relations Act. Attention is directed to Section 111.77(7) which provides "Proceedings, except as specifically provided in this section, shall be governed by ch. 298."

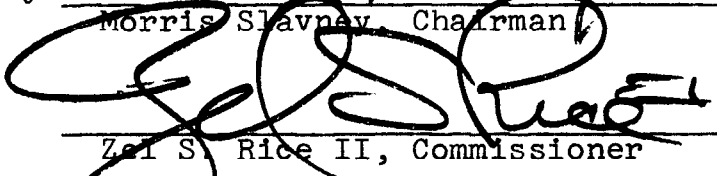
Sections 298.10 and 298.11, Wisconsin Statutes, set forth the basis for vacations or modifications of awards by the courts of this State. The Commission concludes that it has no jurisdiction to entertain the petition of the Milwaukee Deputy Sheriffs' Association, and, therefore, it has dismissed same.

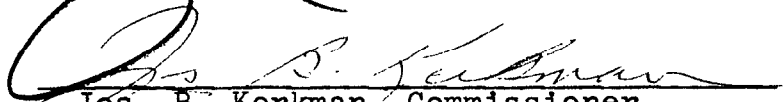
Dated at Madison, Wisconsin, this 26th day of June, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Jos. B. Kerkman, Commissioner