

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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UNITED HOSPITAL & NURSING HOME	:	
EMPLOYEES FEDERATION, LOCAL 222,	:	
	:	
Complainant,	:	
	:	Case I
vs.	:	No. 15271 Ce-1394
	:	Decision No. 11822-A
HEARTHSIDE NURSING HOME &	:	
REHABILITATION CENTER,	:	
	:	Case II
Respondent,	:	No. 15272 Cw-329
	:	Decision No. 11823-A
and	:	
	:	
HOSPITAL AND SERVICE EMPLOYEES'	:	
INTERNATIONAL UNION, LOCAL 150, AFL-CIO,	:	
	:	
Respondent.	:	
	:	

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ORDER AMENDING FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The Wisconsin Employment Relations Commission heretofore and on May 8, 1973 having issued Findings of Fact, Conclusions of Law and Order in the above entitled matters; and the Commission having discovered that it had inadvertently omitted from the Order issued herein a provision in said Order necessary to effectuate the policies of the Wisconsin Employment Peace Act;

NOW, THEREFORE, it is

ORDERED

That the Findings of Fact, Conclusions of Law and Order issued in the above entitled matters be amended to reflect the "Order" issued therein as follows:

ORDER

1. IT IS ORDERED that Respondent Hearthside Nursing Home and Rehabilitation Center, its officers, representatives, agents, successors and assigns, and Respondent Hospital and Service Employees' International Union, Local 150, AFL-CIO, its officers, representatives and agents shall immediately:

a. Cease and desist from:

- (1) Entering into, performing, maintaining, or otherwise giving effect to any agreement between them, which requires membership in Respondent Hospital and Service Employees' International Union, Local 150, AFL-CIO, as a condition of employment, except as authorized in a referendum conducted among employes of Respondent Hearthside Nursing Home and Rehabilitation Center

pursuant to Section 111.06(1)(c) of the Wisconsin Employment Peace Act.

2. IT IS ALSO ORDERED that Hospital and Service Employees' International Union, Local 150, AFL-CIO, will be primarily responsible, and Hearthsides Nursing Home and Rehabilitation Center will be secondarily responsible, in the manner and to the extent as shall be subsequently ordered by the Wisconsin Employment Relations Commission, for reimbursement to our former and present employes for dues exacted from the wages of such employes and paid to Hospital and Service Employees' International Union, Local 150, AFL-CIO, pursuant to the unlawful all-union agreement which existed between Hearthsides Nursing Home and Rehabilitation Center and Hospital and Service Employees' International Union, Local 150, AFL-CIO, from January 21, 1971, to August 15, 1972.

3. IT IS ALSO ORDERED that Respondent Hearthsides Nursing Home and Rehabilitation Center, its officers, representatives, agents, successors and assigns, shall preserve and produce at a supplemental hearing to be scheduled by the Commission, all dues check-off authorizations executed by former and present employes from at least January 21, 1971, to August 15, 1972, as well as all payroll records, time cards, personnel records and reports pertaining to dues submitted to Respondent Hospital and Service Employees' International Union, Local 150, AFL-CIO, from January 21, 1971, to August 15, 1972, which are necessary to determine the identity of the former and present employes who are entitled to reimbursement under the terms of this Order, as well as those records necessary to determine the amounts of reimbursement due said former and present employes.

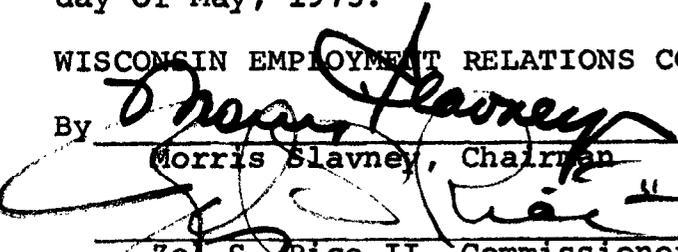
4. IT IS ALSO ORDERED that Respondent Hospital and Service Employees' International Union, Local 150, AFL-CIO, preserve and produce at a supplemental hearing to be scheduled by the Commission all records pertaining to dues received by it, directly or indirectly from former and present employes of Respondent Hearthsides Nursing Home and Rehabilitation Center, for the period from January 21, 1971 to August 15, 1972 which are necessary to determine the identity of the former and present employes who are entitled to reimbursement under the terms of this Order, as well as those records necessary to determine the amounts of reimbursement due said former and present employes.

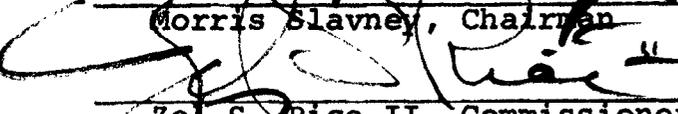
5. IT IS ALSO ORDERED that Respondent Hearthsides Nursing Home and Rehabilitation Center, and Respondent Hospital and Service Employees' International Union, Local 150, AFL-CIO, post in conspicuous places on the premises of said Respondent Employer and in the offices of said Respondent Union, where notices to employes and members are usually posted, copies of the notice attached hereto marked Appendix "A" after being duly signed by representatives of Respondent Employer and Respondent Union. Such notices shall be immediately posted upon receipt thereof and remain posted for sixty (60) consecutive days. Reasonable steps shall be taken to insure that said posted notices shall not be altered, defaced or covered by any other material.

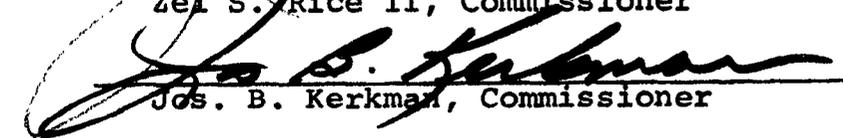
Given under our hands and seal at the City of Madison, Wisconsin, this 11th day of May, 1973.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Morris Slavney, Chairman

  
Zel S. Rice II, Commissioner

  
Jos. B. Kerkman, Commissioner