

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DENNIS KRAGNESS AND THE NORTHWEST
UNITED EDUCATORS,

 Complainants,

 vs.

TURTLE LAKE CONSOLIDATED SCHOOL
DISTRICT,

 Respondent.

Case I
No. 16480 MP-243
Decision No. 11929-C

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

Examiner George R. Fleischli having, on April 2, 1974, issued his Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, in the above entitled proceeding, wherein he concluded that the above named Respondent had not committed any prohibited practices as alleged in the complaint filed by the above Complainants, and where, as a result, said Examiner dismissed the complaint; and the above named Complainants, by their Counsel, having timely filed a Petition for Review in the matter, as well as a brief in support thereof; and Counsel for the above named Respondent having filed a brief opposing the Petition for Review; and the Commission having reviewed the decision of the Examiner, the Petition for Review, the brief filed in support thereof, and the brief filed in opposition thereto, and being satisfied that the Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, issued by said 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.

Given under our hands and seal at the
City of Madison, Wisconsin, this 17th
day of April, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By *Morris Slavney*
Morris Slavney, Chairman

Howard S. Bellman
Howard S. Bellman, Commissioner

Herman Torosian
Herman Torosian, Commissioner

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

The Complainants, in their complaint, alleged that the Respondent had violated the collective bargaining agreement involved by failing to provide supervision over the individual Complainant "for the purpose of guiding him in a positive and helpful way" in the performance of his teaching duties, and further, that the Respondent violated the collective bargaining agreement with respect to the non-renewal of the individual Complainant. Following the hearing and after a review of the evidence and arguments of the parties, the Examiner issued his Findings of Fact, Conclusions of Law and Order wherein he concluded that the Respondent did not commit the prohibited practices alleged in the complaint.

Thereafter the Complainants timely filed a Petition for Review, as well as a brief in support thereof, wherein the Complainants took issue with the Examiner's conclusion that the Respondent did not violate the collective bargaining agreement with respect to the non-renewal of the individual Complainant. The Respondent filed a brief in opposition to the Petition for Review.

The Commission has reviewed the entire record, the Petition for Review, as well as the brief filed in support thereof, as well as the brief filed in opposition thereto.

The issue as to whether the Respondent violated the collective bargaining agreement with respect to the non-renewal of the individual Complainant was fully litigated at the hearing, and it was fully dealt with in the decision rendered by the Examiner. We agree with his conclusion in that regard, and, therefore, we are today issuing an Order affirming his Findings of Fact, Conclusions of Law and Order in the matter.

Dated at Madison, Wisconsin, this 17th day of April, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thomas Slavney
Morris Slavney, Chairman

Howard S. Bellman
Howard S. Bellman, Commissioner

Herman Torosian
Herman Torosian, Commissioner