

STATE OF WISCONSIN

:

CIRCUIT COURT

:

FOND DU LAC COUNTY

HOWARD AEH & ASSOCIATES OF  
FOND DU LAC, INCORPORATED,

Petitioner,

v.

WISCONSIN EMPLOYMENT RELATIONS  
COMMISSION,

Respondent.

NOTICE OF ENTRY  
OF ORDER

Case No. 23147

Decision No. 11945-A  
and No. 11955-A

TO: Mr. Eli Block  
Attorney at Law  
100 W. Court Street  
Janesville, WI 53545  
Attorney for Petitioner.

PLEASE TAKE NOTICE that an order, of which a true and correct copy is hereto attached, was duly entered in the above entitled action in the Circuit Court for Fond du Lac County, Wisconsin, on the 30th day of October, 1975.

Dated at Madison, Wisconsin, this 4th day of November, 1975.

BRONSON C. LA FOLLETTE  
Attorney General

DAVID C. RICE  
Assistant Attorney General

Attorneys for Respondent,  
Wisconsin Employment Relations Commission.

HOWARD AEH & ASSOCIATES OF  
FOND DU LAC, INCORPORATED,

Petitioner,

v.

Case No. 23147

WISCONSIN EMPLOYMENT RELATIONS  
COMMISSION,

Decision No. 11945-A  
and No. 11955-A

Respondent.

ORDER MODIFYING, CONFIRMING AND  
ENFORCING AGENCY ORDER

The above entitled matter having come on for hearing before the court on May 16, 1975, upon the petition of petitioner Howard Aeh & Associates of Fond du Lac, Incorporated to review a decision and order of the Wisconsin Employment Relations Commission dated October 25, 1974, and upon the counter-petition of the commission for enforcement of the same decision and order; and

The petitioner having appeared by Attorney Eli Block, and the commission having appeared by David C. Rice, Assistant Attorney General; and

The court having issued its memorandum decision and order on September 29, 1975, affirming the decision and order of the commission,

IT IS ORDERED, ADJUDGED, AND DECREED that the order of the Wisconsin Employment Relations Commission, entered on the 25th day of October, 1974, in the matter of "Retail Store Employees Union Local No. 214 Affiliated With Retail Clerks International Association, Complainant, vs. Howard Aeh & Associates of Fond du Lac, Incorporated, Respondent, Case II, No. 16863 Ce-1487, Decision No. 11955-A" 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, Howard Aeh & Associates of Fond du Lac, Incorporated, its officers and agents, shall:

1. Cease and desist from:

- (a) Refusing to recognize complainant, Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association, as the exclusive collective bargaining representative of its office and clerical employees and refusing to execute the collective bargaining agreement reached between it and said labor organization.
- (b) Interrogating employees concerning their membership in, and activity on behalf of, Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association, or any other labor organization.
- (c) Changing wages, hours and other terms and conditions of employment without negotiating same with Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association.

- (d) Aiding and encouraging employees to withdraw their membership from Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association, or any other labor organization.
- (e) In any other manner interfering with, restraining or coercing its employees in the exercise of their right to self-organization, to form, join, or assist the complainant, Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining, or to refrain from any and all such activities, except as authorized in sec. 111.06 (1) (c) of the Wisconsin Employment Peace Act.
2. Take the following affirmative action which the commission finds will effectuate the policies of the Wisconsin Employment Peace Act:
- (a) Immediately execute the collective bargaining agreement reached between it and Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association, and upon such execution, forward a signed copy thereof to said labor organization, and immediately comply with the terms of said agreement, retroactive to April 29, 1973, except Article II, A thereof.
- (b) Notify its employees by posting in conspicuous places on its premises, where notices to all its employees are usually posted, a copy of the notice attached hereto and marked "Appendix A." Such copy shall be signed by Dr. Lynas Gordon Moore and shall be posted immediately upon receipt of a copy of this order, and shall remain posted for a period of thirty (30) days thereafter. Reasonable steps shall be taken by respondent, Howard Aeh & Associates of Fond du Lac, Incorporated, to insure that said notice is not altered, defaced or covered by other material.
- (c) Notify the Wisconsin Employment Relations Commission, in writing, within twenty (20) days of the receipt of a copy of this order what steps it has taken to comply herewith.

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 30th day of October, 1975.

BY THE COURT:

/s/ Jerold E. Murphy  
JEROLD E. MURPHY  
Circuit Judge.

entered: 10/30/75

APPROVED AS TO FORM:

David C. Rice /s/  
David C. Rice, Attorney for Wisconsin  
Employment Relations Commission.

Eli Block, Attorney for Petitioner, Howard  
Aeh & Associates of Fond du Lac, Incorporated.

Gerry M. Miller, Attorney for the Union,  
Retail Store Employees Union Local No. 214.

APPENDIX "A"

NOTICE TO ALL EMPLOYEES

Pursuant to an Order of the Wisconsin Employment Relations Commission, and in order to effectuate the policies of the Wisconsin Employment Peace Act, we hereby notify our employees that:

1. WE WILL NOT refuse to recognize Retail Store Employees Local No. 214, affiliated with Retail Clerks International Association as the exclusive collective bargaining representative of our office and clerical employees.
2. WE WILL NOT interrogate our employees concerning their membership in, and activity on behalf of, Retail Store Employees Local No. 214, affiliated with Retail Clerks International Association.
3. WE WILL NOT encourage our employees to disaffiliate from membership in Retail Store Employees Local No. 214, affiliated with Retail Clerks International Association by unilaterally implementing changes in hours and other terms and conditions of employment.
4. WE WILL NOT in any other manner interfere with, restrain or coerce our employees in the exercise of their right to self-organization, to form, join, or assist Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association, to bargain collectively through representatives of their own choosing and to engage in concerted activities for the purpose of collective bargaining, or to refrain from any and all such activities, except as authorized in sec. 111.06 (1) (c) of the Wisconsin Employment Peace Act.
5. WE WILL immediately execute the collective bargaining agreement reached between us and Retail Store Employees Union Local No. 214, affiliated with Retail Clerks International Association, and forward a signed copy thereof to said labor organization, and immediately comply with the terms of said agreement retroactive to April 29, 1973, except Article II, A thereof.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1974.

HOWARD AEH & ASSOCIATES OF  
FOND DU LAC, INCORPORATED

By \_\_\_\_\_  
Dr. Lynas Gordon Moore

THIS NOTICE MUST REMAIN POSTED FOR THIRTY (30) DAYS FROM THE DATE HEREOF AND MUST NOT BE ALTERED, DEFACED OR COVERED BY ANY OTHER MATERIAL.