

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

FIRE FIGHTERS LOCAL 400, INTERNATIONAL
ASSOCIATION OF FIRE FIGHTERS, AFL-CIO,

Complainant,

vs.

CITY OF FOND DU LAC,

Respondent.

Case XXIII
No. 17436 MP-304
Decision No. 12360-A

ORDER SETTING ASIDE APPOINTMENT
OF EXAMINER AND DISMISSING COMPLAINT

The Wisconsin Employment Relations Commission heretofore and on December 20, 1973, having appointed George R. Fleischli as Examiner to conduct hearing in the above entitled matter; and prior to the conduct of said hearing, the Complainant having requested that the complaint filed herein be dismissed and the Commission being satisfied that the Order appointing the Examiner be set aside and that the complaint be dismissed;

NOW, THEREFORE, it is

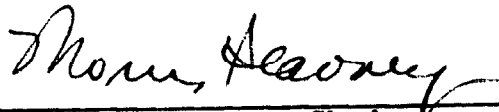
ORDERED

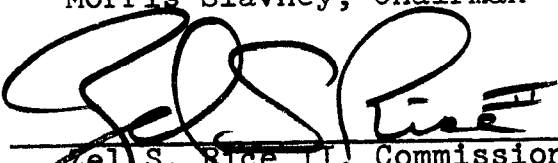
That the Order appointing George R. Fleischli as Examiner, dated December 20, 1973, be and the same hereby is, set aside, and further, that the complaint filed in the instant matter be, and the same hereby is, dismissed.

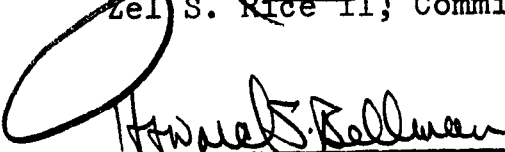
Given under our hands and seal at the
City of Madison, Wisconsin, this 4th
day of February, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Morris Slavney, Chairman


Zel S. Rice II, Commissioner


Howard S. Bellman, Commissioner

No. 12360-A

MEMORANDUM ACCOMPANYING ORDER SETTING
ASIDE APPOINTMENT OF EXAMINER AND
DISMISSING COMPLAINT

The Complainant's request that the complaint be dismissed was based on the City's offer to revise the unilaterally established work rule which was the cause of the dispute. The work rule as revised will read:

If a member becomes injured while engaged in outside employment, and if, as a result, such member receives workmen's compensation or other benefits from the outside employer such benefits will be deducted from any benefits the member would receive from the City. (emphasis supplied)

Dated at Madison, Wisconsin, this 4th day of February, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney -
Morris Slavney, Chairman

Zel S. Rice II
Zel S. Rice II, Commissioner

Howard S. Bellman
Howard S. Bellman, Commissioner