

CITY OF JANESVILLE,

Petitioner,

vs.

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Respondent.

MEMORANDUM
DECISIONCase No.
143-010

Decision No. 12460-A

Sec. 111.70 (1) (o) 2 Wis. Stats. reads as follows:

"As to firefighters employed by municipalities with more than one fire station, the term "supervisor" shall include all officers above the rank of the highest ranking officer at each single station. In municipalities where there is but one fire station, the term "supervisor" shall include only the chief and the officer in rank immediately below the chief. No other firefighter shall be included under the term "supervisor" for the purposes of this chapter."

Petitioner would have the Court read the Statute
"...highest ranking officer common to all stations."

Respondent argues plain English, reasonable construction and deference to the Respondent's decision.

The meaning given to the Statute by the Respondent is not a strained or tortured one. It is one that does not abuse the language.

If the Statute was to be read as the Petitioner suggests above, the Court would have to put new words into the Statutes. That is the job of the Legislature, not the Court, where the legislatively enacted words are clear and not inconsistent with other legislative enactments.

The Court agrees with the interpretation given by the respondent. Affirms its decision and adopts its reasoning, therefore, in its memoranda and brief.

BY THE COURT:

Michael B. Torphy, Jr. /s/
Hon. Michael B. Torphy, Jr.
Judge, Circuit Court, Br. 2

Dated this 10th day of February, 1975.