

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

FRANK REITH and the STANLEY-BOYD
EDUCATION ASSOCIATION,

Complainants,

vs.

STANLEY-BOYD AREA SCHOOLS and the
BOARD OF EDUCATION OF STANLEY-BOYD
AREA SCHOOLS,

Respondents.

Case IV
No. 19653 MP-330
Decision No. 12504-C

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

Examiner George R. Fleischli, having on November 7, 1974 issued preliminary Findings of Fact, Conclusions of Law and Order with Accompanying Memorandum 1/ in the above-entitled matter, wherein he concluded that Complainant Reith had failed to exhaust the established grievance procedure and failed to comply with the time limits set out in the collective bargaining agreement, and issued an Order dismissing the first count of the complaint herein on the basis of that finding; and Examiner Fleischli, having on January 12, 1976 issued Supplemental Findings of Fact, Conclusion of Law and Order with Accompanying Memorandum 2/ in the above-entitled matter wherein he concluded that the named Respondents had committed certain prohibited practices within the meaning of Section 111.70(3)(a)3 and 1 of the Municipal Employment Relations Act and issued an Order requiring said Respondents to take certain affirmative action to remedy the prohibited practices found to have been committed by the Respondents; and the Respondents on February 3, 1976 having filed a petition for review of the Examiner's Supplemental Findings of Fact, Conclusion of Law and Order; and the Complainants on February 16, 1976 having responded to said petition and alleged, inter alia, that the petition was untimely under the provisions of Section 111.07(5) of the Wisconsin Statutes and Section ERB 12.09 of the Wisconsin Administrative Code; and the Commission being satisfied that the petition herein is untimely and that therefore it is without jurisdiction to review the Examiner's Supplemental Findings of Fact, Conclusion of Law and Order with Accompanying Memorandum;

NOW, THEREFORE, it is

ORDERED

That pursuant to Section 111.07(5), Wisconsin Statutes, the Wisconsin Employment Relations Commission hereby adopts the Examiner's Findings of Fact, Conclusions of Law and Order with Accompanying Memorandum (Decision No. 12504-A) and the Examiner's Supplemental Findings of Fact, Conclusion of Law and Order with Accompanying Memorandum (Decision No. 12504-B), issued in the above entitled matter as its Findings of Fact, Conclusions of Law and Order with Accompanying

1/ Decision No. 12504-A.

2/ Decision No. 12504-B.

Memorandum, and therefore, the Respondents, Stanley-Boyd Area Schools and the Board of Education of Stanley-Boyd Area Schools shall notify the Wisconsin Employment Relations Commission within ten (10) days of receipt of a copy of this Order as to what steps they have taken to comply herewith.

Given under our hands and seal at the
City of Madison, Wisconsin, this 6th
day of April, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

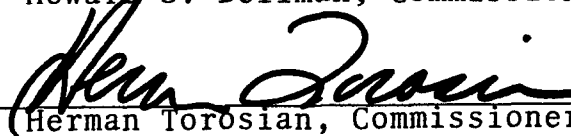
By



Morris Slavney, Chairman



Howard S. Bellman, Commissioner



Herman Torosian, Commissioner