

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DISTRICT NO. 10, INTERNATIONAL :
ASSOCIATION OF MACHINISTS & :
AEROSPACE WORKERS :
 :
Complainant, : Case V
 : No. 17714 Ce-1531
vs. : Decision No. 12602-A
 :
GENERAC CORPORATION :
 :
Respondent, :
 :

ORDER GRANTING IN PART AND DENYING IN PART
MOTION TO MAKE MORE DEFINITE AND CERTAIN

A complaint of unfair labor practices having been filed with the Wisconsin Employment Relations Commission, herein Commission, by District No. 10, International Association of Machinists & Aerospace Workers on March 5, 1974 wherein it alleged that Generac Corporation had committed unfair labor practices within the meaning of the Wisconsin Employment Peace Act, and the Commission having appointed Amedeo Greco, a member of the Commission's staff, to act as Hearing Examiner in the matter; and the Examiner having scheduled the matter for hearing; and thereafter Respondent on April 10, 1974, having filed a Motion to make more Definite and Certain; and the Examiner having considered said Motion;

NOW, THEREFORE, it is

ORDERED

1. That Respondent's Motion to make the complaint more definite and certain filed in the above entitled matter be, and the same hereby is, granted in part, and that therefore said amended complaint specify: (1) The time and place of the alleged statements by the Respondent concerning plant closure and the name(s) of the person(s) alleged to have made said statements, (2) The time and place of the alleged captive audience meetings, and the specific acts by which Respondent allegedly threatened, coerced and intimidated employees and the name(s) of the person(s) alleged to have acted in this manner, and (3) The manner in which the Respondent allegedly changed agreed upon election arrangements and the specific statutes which the Respondent allegedly violated in this regard.

2. That Complainant need not furnish Respondent with the names of the individual employes who heard the alleged plant closure threats and who attended the alleged captive audience meetings.

3. That the information noted in paragraph (1) supra should be filed by the Complainant with the Commission, with a copy to Respondent, by April 18, 1974.

Dated at Madison, Wisconsin, this 11th day of April, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Amedeo Greco
Amedeo Greco, Examiner

MEMORANDUM ACCOMPANYING ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO MAKE MORE DEFINITE AND CERTAIN

Inasmuch as Respondent is entitled to know what are the specific alleged acts in issue, as well as the alleged perpetrators of said acts, Complainant is required to provide said information to Respondent so that Respondent can then have adequate knowledge of the charges against which it must defend.

Once that information has been supplied, Respondent will then have within its own knowledge means of determining what employes heard or saw the alleged acts in issue. Accordingly, the Respondent's additional request that it be supplied with said names is hereby denied as no reason has been offered as to why Complainant should be required to provide this information.

Dated at Madison, Wisconsin, this 11th day of April, 1974.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Amedeo Greco
Amedeo Greco, Examiner