

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

NATIONAL UNION OF HOSPITAL & HEALTH  
CARE EMPLOYEES, A DIVISION OF RWDSU,  
AFL-CIO, AND ITS AFFILIATE 1199W,

Complainant,

vs.

FAMILY HOSPITAL,

Respondent.

Case VI

No. 17809 Ce-1534

Decision No. 12616-A

Appearances:

Perry & First, Attorneys at Law, by Mr. Richard Perry, for the  
Complainant.

Mr. Alan S. Brostoff, Attorney at Law, of Counsel for Complainant.

Honeck, Mantyh & Arndt, Attorneys at Law, by Mr. William J.  
Mantyh, for the Respondent.

ORDER GRANTING COMPLAINANT'S MOTION TO AMEND COMPLAINT

A complaint of unfair labor practices having been filed with the Wisconsin Employment Relations Commission by National Union of Hospital & Health Care Employees, a Division of RWDSU, AFL-CIO, and its Affiliate 1199W, on April 1, 1974, wherein it alleged that Family Hospital 1 had committed violations of Section 111.06(1)(a) of the Wisconsin Statutes; and the Commission having appointed Stanley H. Michelstetter II as Examiner to make and issue Findings of Fact, Conclusions of Law, and Orders in the matter; and hearing having been held before the Examiner on June 20, 1974; and Complainant having filed on December 23, 1974 a motion to amend its complaint to allege a violation of Section 111.06(1)(c)1. in addition to the aforementioned provisions of the Wisconsin Statutes on the grounds that such amendment would conform the pleadings to the proof and that the ultimate facts stated in the complaint more accurately allege a violation of Section 111.06(1)(c)1.; and Respondent having on December 30, 1974 filed objections to the motion of Complainant to amend its complaint on the grounds that the evidence and argument of Complainant do not support the allegation; and the Examiner having considered the matter, and being satisfied that such motion to amend the complaint should be granted;

NOW, THEREFORE, it is

ORDERED

That the complaint filed in the instant matter be, and the same

1/ During the course of the hearing the complaint was amended to reflect the correct name of the Respondent.

hereby is, amended to allege a violation of Section 111.06(1)(c)1.

Dated at Milwaukee, Wisconsin, this 10<sup>th</sup> day of March, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Stanley H. Michelstetter II  
Stanley H. Michelstetter II  
Examiner

MEMORANDUM ACCOMPANYING  
ORDER GRANTING COMPLAINANT'S MOTION TO AMEND COMPLAINT

Complainant by motion received December 23, 1974 has requested leave to amend its complaint to allege a violation of Section 111.06 (1)(c)1. of the Wisconsin Employment Peace Act. Respondent has taken a position that the allegation is not supported by the law or evidence. Since Respondent's position only goes to the merits of the allegation, the undersigned will consider the allegation with the other allegations of the complaint.

Dated at Milwaukee, Wisconsin, this 10<sup>th</sup> day of March, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Stanley H. Michelstetter II

Stanley H. Michelstetter II  
Examiner