

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

THE NORTHEAST WISCONSIN TECHNICAL
INSTITUTE FACULTY ASSOCIATION,

Complainant,

vs.

THE NORTHEAST WISCONSIN VOCATIONAL,
TECHNICAL AND ADULT EDUCATION DISTRICT
BOARD, GREEN BAY, WISCONSIN,

Respondent.

Case XIII
No. 17941 MP-360
Decision No. 12726-B

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

Examiner Amedeo Greco having, on February 12, 1975, issued his Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, in the above entitled matter, wherein he found the above named Respondent to have committed certain prohibited practices within the meaning of Section 111.70(3)(a)4 and 1 of the Municipal Employment Relations Act, and wherein the Examiner ordered the Respondent to cease and desist from such activity and to take certain action to remedy same; and the above named Respondent having timely filed a petition with the Commission requesting the Commission to review the decision of said Examiner; and the Commission having reviewed the entire record and being fully advised in the premises, and being satisfied that the Examiner's Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, should be affirmed;

NOW, THEREFORE, it is

ORDERED

That, pursuant to Section 111.07(5) of the Wisconsin Statutes, the Wisconsin Employment Relations Commission hereby adopts the Examiner's Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, issued in the above entitled matter as its Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, and, therefore, the Respondent, Northeast Wisconsin Vocational, Technical and Adult Education District Board, Green Bay, Wisconsin, shall notify the Wisconsin Employment Relations Commission within ten (10) days of the receipt of a copy of this Order as to what steps it has taken to comply therewith.

Given under our hands and seal at the
City of Madison, Wisconsin, this 12th
day of February, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Thomas Slavney
Morris Slavney, Chairman

Howard S. Bellman
Howard S. Bellman, Commissioner

Herman Torosian
Herman Torosian, Commissioner

THE NORTHEAST WISCONSIN VOCATIONAL, TECHNICAL AND ADULT EDUCATION
DISTRICT BOARD, XIII, Decision No. 12726-B

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


In his decision the Examiner concluded that the Complainant and Respondent had reached an oral agreement to insert certain language in each individual teacher's contract, reflecting that the individual teacher's contract was subject to the collective bargaining agreement between the parties, and that such oral agreement constituted an enforceable collective bargaining agreement. Further, the Examiner concluded that the Respondent, by unilaterally including changes affecting wages and certain conditions of employment in individual teacher contracts, was violative of the Respondent's duty to bargain with the Complainant. The Examiner's Order required the Respondent to cease and desist from the acts found to have constituted prohibited practices and to take certain affirmative action with regard thereto.

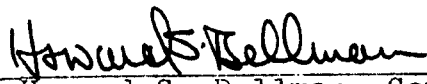
The Respondent timely filed a petition for review of the Examiner's decision, wherein it contended, in effect, that the "conditions of employment" contained in the individual teacher contracts were not in conflict with the collective bargaining agreement and, further, that the oral agreement referred to above was not reduced to a written agreement and, therefore, is not enforceable.

The Respondent's arguments were raised in the hearing before the Examiner and disposed of in his Memorandum. We concur fully with the Examiner's Memorandum accompanying his decision, and we, therefore, hereby affirm his Findings of Fact, Conclusions of Law and Order, as well as the Memorandum Accompanying same.

Dated at Madison, Wisconsin, this 12th day of February, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Morris Slavney, Chairman


Howard S. Bellman, Commissioner


Herman Torosian, Commissioner