

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

CHAUFFEURS, TEAMSTERS, WAREHOUSEMEN  
AND HELPERS LOCAL NO. 199,

Complainant,

vs.

GATEWAY FOODS, INC.,

Respondent.

Case VIII  
No. 18523 Ce-1572  
Decision No. 13188-B

ORDER

Examiner Sherwood Malamud having on April 17, 1975 issued Findings of Fact, Conclusion of Law and Order with Accompanying Memorandum in the above entitled matter, wherein he concluded that the above named Respondent had committed an unfair labor practice within the meaning of Section 111.06(1)(f) of the Wisconsin Employment Peace Act by refusing to proceed to arbitration on a grievance filed by the above named Complainant, and wherein said Examiner ordered Respondent to proceed to arbitration on said grievance; and that thereafter said Respondent having timely filed a petition with the Wisconsin Employment Relations Commission requesting that the Commission review the Examiner's decision; and shortly after the filing of said petition the above named Complainant having requested the Commission to hold the instant matter in abeyance pending a resolution of the matter involved in the instant complaint proceeding; and on April 15, 1976, the Commission having been advised, in a telephonic conversation with a representative of the Complainant that the issues involved herein had been resolved and further in said conversation said representative having requested that the Order set forth in the Examiner's decision be set aside and that the complaint be dismissed; and the Commission being fully advised in the premises and being satisfied that the Order issued by the Examiner be set aside, and that the complaint filed herein be dismissed;

NOW, THEREFORE, it is

ORDERED

1. That the Order contained in the Examiner's decision wherein the above named Respondent was ordered to cease and desist from refusing to submit the grievance involved to arbitration and to proceed to arbitration thereon, be, and the same hereby is, set aside.

2. That, therefore, the complaint filed in the instant proceeding be, and the same hereby is, dismissed.

Given under our hands and seal at the  
City of Madison, Wisconsin this 23rd  
day of April, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slavney  
Morris Slavney, Chairman

Howard S. Bellman  
Howard S. Bellman, Commissioner

Herman Torosian  
Herman Torosian, Commissioner