

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Case XXVIII
No. 18886 FF-615
Decision No. 13448

No. 13448

however, the parties were unable to reach an accord in their collective bargaining and remain in deadlock with respect thereto.

Upon the basis of the above and foregoing Findings of Fact, the Commission makes the following

CONCLUSION OF LAW

That a deadlock within the meaning of Section 111.70(4)(c)3 of the Wisconsin Statutes exists between City of West Allis and Local 80 affiliated with Milwaukee District Council 48, AFSCME, AFL-CIO, after a reasonable period of negotiation with respect to wages and other conditions of employment affecting all employes of the Water Department, Department of Forestry and Public Grounds, Electrical Division, Street and Sewer Division, Sanitation Division, Building and Sign Division, Repair Division, Yard Service Division and Custodians.

Upon the basis of the above and foregoing Findings of Fact and Conclusion of Law, the Commission makes the following

CERTIFICATION AND ORDER

IT IS HEREBY CERTIFIED that the conditions precedent to the initiation of fact finding, as required in Section 111.70(4)(c)3 of the Wisconsin Statutes with respect to negotiations by Local 80 affiliated with Milwaukee District Council 48, AFSCME, AFL-CIO on issues of wages and other conditions of employment of all employes of the Water Department, Department of Forestry and Public Grounds, Electrical Division, Street and Sewer Division, Sanitation Division, Building and Sign Division, Repair Division, Yard Service Division and Custodians have been met.

NOW, THEREFORE, it is

ORDERED

1. That fact finding be initiated for the purpose of recommending a solution to said dispute.

2. That Frank P. Zeidler, Milwaukee, Wisconsin is hereby appointed as the fact finder to proceed forthwith in the matters pursuant to Section 111.70(4)(c)3 of the Wisconsin Statutes.

3. That within 30 days of the receipt of the fact finder's recommendations, or within the time period mutually agreed upon by the parties, each party shall advise the other, in writing, as to its acceptance or rejection, in whole or in part, of the fact finder's recommendations and, at the same time, transmit a copy of such notice to the Commission at its Madison office.

Given under our hands and seal at the
City of Madison, Wisconsin this 18th
day of March, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By: *Thomas J. Zeidler*

MEMORANDUM ACCOMPANYING
FINDINGS OF FACT, CONCLUSION OF LAW,
CERTIFICATION OF RESULTS OF INVESTIGATION AND
ORDER INITIATING FACT FINDING AND APPOINTING FACT FINDER

The instant petition was filed jointly by Locals 80 and 228. Having so petitioned, it is apparently the Unions' positions that a single fact finding proceeding should be conducted with respect to both locals taken together. The City, on the other hand, takes the position that each of the locals has many separate issues, that they represent separate bargaining units and that a combined fact finding would cause confusion rather than convenience and conservation of preparation and presentation time. For those reasons, the City opposes a combining of the two locals into one fact finding proceedings.

Upon consideration of the matter, we have concluded that separate fact finding proceedings for each local are in order. The orders in this and in the companion case have been issued accordingly.

Dated at Madison, Wisconsin this 18th day of March, 1975.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Morris Slavney

Morris Slavney, Chairman

Howard S. Bellman

Howard S. Bellman, Commissioner

Herman Torosian

Herman Torosian, Commissioner