

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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CHARLES KASPRZAK, INDIVIDUALLY AND AS  
A MEMBER OF THE JEFFERSON EDUCATION  
ASSOCIATION, AND THE WISCONSIN FEDERATION OF TEACHERS, AFFILIATED WITH THE  
AMERICAN FEDERATION OF TEACHERS,  
AFL-CIO,

Complainants,

vs.

THE JEFFERSON BOARD OF EDUCATION,

Respondent.  
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Case III  
No. 19210 MP-471  
Decision No. 13698-B

ORDER AFFIRMING EXAMINER'S  
ORDER GRANTING MOTION TO AMEND COMPLAINT,  
DENYING MOTION TO SET HEARING SOLELY ON  
AMENDMENT AND HOLDING PROCEEDING IN ABEYANCE

Examiner Thomas L. Yaeger having on January 12, 1976, issued an Order (1) granting the Motion to amend the complaint filed herein, (2) denying Complainants' Motion to set early hearing on the issues presented in said amended complaint, and (3) ordered that the instant proceeding be held in abeyance until the Wisconsin Employment Relations Commission is notified that there has been a final adjudication by the Jefferson County Circuit Court of those issues now pending before said Court, which issues are substantially identical to those raised by the amendments to the complaint; and on January 21, 1976, said Complainants having filed a Motion with the Commission requesting (1) that immediate leave to appeal be granted from the Examiner's decision, and (2) that the Commission immediately determine said appeal, reverse the Examiner's decision and take immediate jurisdiction over the amended complaint, specifically the subject matter relating to the termination of Complainant Charles Kasprzak; and on February 3, 1976, the above named Respondent having responded to said motion, wherein said Respondent urged that the Commission deny the motion of Complainants; and the Commission having considered the Order issued by the Examiner, and being fully advised in the premises, and being satisfied that the Examiner's Order, with Accompanying Memorandum, be affirmed;

NOW, THEREFORE, it is

ORDERED

That the Order of the Examiner issued on January 12, 1976, granting motion to amend complaint, denying motion to set hearing

No. 13698-B

solely on amendment and holding proceeding in abeyance, with  
Accompanying Memorandum, 1/ be, and the same hereby is affirmed.

Given under our hands and seal at the  
City of Madison, Wisconsin this 6th  
day of February, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney  
Morris Slavney, Chairman

Howard S. Bellman  
Howard S. Bellman, Commissioner

Herman Torosian  
Herman Torosian, Commissioner

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1/ The Commission completely agrees with the rationale expressed in the Examiner's Memorandum, and we see no reason to further elaborate thereon. It should also be understood that this Order does not imply that the Commission accepts "appeals" of nonfinal rulings by examiners, whether in the form of motions or otherwise.