

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

LINDA BRURING AND ARBOR VITAE-WOODRUFF EDUCATION ASSOCIATION,	:	
	:	
Complainants,	:	
	:	
vs.	:	Case III
	:	No. 19445 MP-499
ARBOR VITAE-WOODRUFF SCHOOL DISTRICT, JOINT SCHOOL DISTRICT NO. 1 AND BOARD OF EDUCATION OF ARBOR VITAE-WOODRUFF SCHOOL DISTRICT, JOINT SCHOOL DISTRICT NO. 1,	:	Decision No. 13865-B
	:	
Respondent.	:	
	:	

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

Examiner Sherwood Malamud having, on March 22, 1976, issued his Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, in the above entitled proceeding, wherein the above named Respondent was found not to have committed any prohibited practices within the meaning of the Municipal Employment Relations Act; and Counsel for the Complainants having timely filed a petition requesting the Commission to review the Examiner's decision; and the Commission having reviewed the entire record in the matter and being satisfied that the Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, issued by the Examiner should be affirmed;

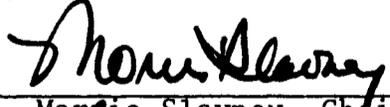
NOW, THEREFORE, it is

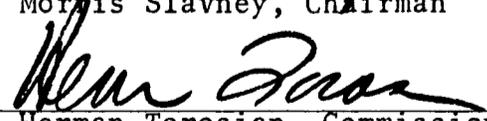
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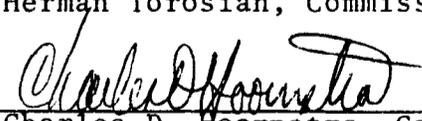
That, pursuant to Section 111.07(5) of the Wisconsin Statutes, the Wisconsin Employment Relations Commission hereby adopts the Examiner's Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, issued in the above entitled matter as its Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum.

Given under our hands and seal at the City of Madison, Wisconsin, this 3rd day of November, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Morris Slavney, Chairman


Herman Torosian, Commissioner


Charles D. Hoornstra, Commissioner

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

The Examiner issued his decision herein on March 22, 1976, wherein he found that the Respondent did not commit any prohibited practices within the meaning of the Municipal Employment Relations Act, and wherein he, therefore, dismissed the complaint. On April 9, 1976, Counsel for the Complainants, by letter, took exception to the Examiner's decision on the following stated grounds:

- "1. That certain of the facts found by the Examiner are clearly erroneous as established by a preponderance of the evidence.
2. That a substantial question of law or administrative policy is raised."

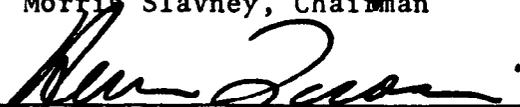
In said letter Counsel for the Complainants requested until April 23, 1976, to submit a brief in support of the exceptions. On April 9, 1976, the Commission, by letter, granted such extension of time for the filing of said brief. Subsequently and on April 27, 1976, the Commission received a communication from Counsel for the Complainants indicating that he did not find it necessary to file a brief in support of the exceptions, contending that all of the arguments that could have been made were made in the Complainants' brief to the Examiner.

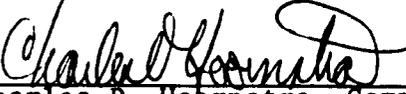
We have reviewed the entire record in this proceeding, and we are satisfied that the evidence supports the Findings of Fact as made by the Examiner, and we agree with his Conclusions of Law and Order.

Dated at Madison, Wisconsin, this 3rd day of November, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Morris Slavney, Chairman


Herman Torosian, Commissioner


Charles D. Hohnstra, Commissioner