

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

NORTHWEST UNITED EDUCATORS, AND  
BERNARD LANE,

Complainants,

vs.

COOPERATIVE EDUCATIONAL SERVICE  
AGENCY NO. 4, ET. AL.,

Respondents.

Case V  
No. 20256 MP-596  
Decision No. 14491-A

ORDER GRANTING IN PART AND DENYING IN PART MOTION TO  
MAKE MORE DEFINITE AND CERTAIN

Northwest United Educators, and Bernard Lane, herein Complainants, having filed a prohibited practices complaint with the Wisconsin Employment Relations Commission, herein Commission, wherein it alleged that Cooperative Educational Service Agency No. 4, et. al., has committed certain prohibited practices; and the Commission having appointed Amedeo Greco, a member of the Commission's staff, to act as Hearing Examiner in the matter; and Barron Joint School District No. 1, one of the named Respondents in the above-entitled action, having filed a motion to make more definite and certain; and the Examiner having considered the matter;

NOW, THEREFORE, it is

ORDERED

1. That the motion to make the complaint more definite and certain filed in the above entitled matter be, and the same hereby is, granted, and that therefore, the Complainants: (1) specify all individuals who allegedly committed the prohibited practices in question against Bernard Lane and other similarly affected employees, as well as a specific description of that alleged conduct, and the dates and places that it allegedly occurred.

2. That Complainants need not furnish any further requested information.

3. That the information noted in paragraph (1) supra must be filed by Complainants with the Commission, with copies to all Respondents, by May 26, 1976.

Dated at Madison, Wisconsin this 18th day of May, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

Amedeo Greco  
Amedeo Greco, Examiner


MEMORANDUM ACCOMPANYING ORDER GRANTING IN PART  
AND DENYING IN PART MOTION TO MAKE MORE DEFINITE AND CERTAIN

Inasmuch as Complainants have failed to specify with sufficient clarity the specific acts which were allegedly committed by the individuals acting on behalf of the various Respondents, and because the named number of Respondents, about 30 or 50 in number, is so large so as to raise a question as to how all of the Respondents are liable for that alleged conduct, Complainants are hereby directed to supply, pursuant to ERB Rule 12.03, the specific conduct that each individual engaged in, and the time and place of that conduct.

The motion to make more definite and certain also requests that Complainants furnish "a specific description of the facts on which the Complainants' conclusion regarding the motivation of CESA #4 in terminating said services and laying off Complainant here is based." Since Complainants will be required to provide the above described information, and as that information, when supplied, will accord Respondents an ample opportunity to prepare its defense, this latter request is hereby denied.

Dated at Madison, Wisconsin this 18th day of May, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By   
Amedeo Greco, Examiner