

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

NORTHEAST WISCONSIN VOCATIONAL,
TECHNICAL & ADULT EDUCATION
DISTRICT BOARD,

Complainant,

vs.

NORTHEAST WISCONSIN TECHNICAL INSTITUTE
FACULTY ASSOCIATION,

Respondent.

Case XVI
No. 20529 MP-625
Decision No. 14675-A

ORDER GRANTING MOTION TO MAKE
COMPLAINT MORE DEFINITE AND CERTAIN

Northeast Wisconsin Vocational, Technical and Adult Education District Board, hereinafter Complainant, having on May 20, 1976, filed a complaint with the Wisconsin Employment Relations Commission alleging that Northeast Wisconsin Technical Institute Faculty Association, hereinafter Respondent, has committed prohibited practices within the meaning of the Municipal Employment Relations Act; and the Commission having appointed Sherwood Malamud, Examiner to make and issue Findings of Fact, Conclusions of Law and Order; and Respondent on June 7, 1976, having filed a Motion for a More Definite Statement; and the Examiner being advised in the premises makes and issues the following

ORDER

That Complainant, Northeast Wisconsin Vocational, Technical and Adult Education District Board make its complaint more definite and certain with respect to allegations made in paragraphs five and seven of the complaint by stating:

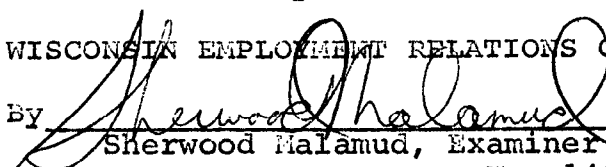
1. The date, place and name of the Association's representative who Complainant alleges refused to negotiate on the subject of "placement schedules and step increases for the 1976-77 school year"; and
2. The date, place, time and name of the individual or individuals who made statements to the effect that "placement schedules and step increases for the teachers for the school year for 1976-77 are precluded and established by the Master Contract now in existence between the parties"; and
3. The specific section of Section 111.70 of the Wisconsin Statutes allegedly violated by Respondent.

And furthermore, that Complainant file the above information with the Commission and serve a copy of same upon Respondent on or before June 18, 1976; and that the date for filing an Answer is hereby extended to June 25, 1976.

Dated at Madison, Wisconsin this 15th day of June, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Sherwood Malamud, Examiner

No. 14675-A

MEMORANDUM ACCOMPANYING ORDER GRANTING MOTION
TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN

Complainant alleged in paragraph five of its complaint:

"5. That in the course of such negotiations the Respondent has refused to include within the collective bargaining process between the parties the question of a placement schedule and step increases for teachers who have been proffered individual teaching contracts for the year 1976-1977 by the Complainant."

and in paragraph seven of its complaint that:

"7. It is the Respondent's position that placement schedules and step increases for the teachers for the school year for 1976-1977 are precluded and established by the Master Contract now in existence between the parties."

Respondent asks Complainant to make such allegations more specific.

The Commission, in its rules at ERB 12.02(2)(c) established that a complaint must contain among other things:

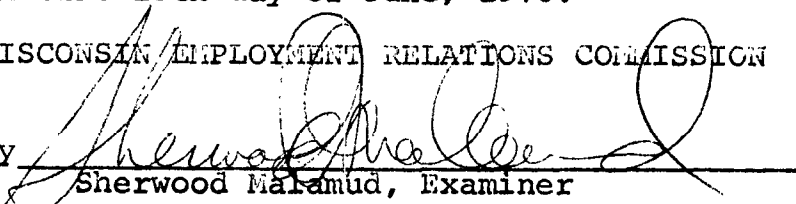
"A clear and concise statement of the facts constituting the alleged prohibited practice or practices including the time and place of occurrence of particular acts and the sections of the act alleged to have been violated thereby."

The Examiner has granted Respondent's motion to the extent necessary to comply with the Commission's rules. Furthermore, the Examiner on his motion has directed Complainant to specify the section or sections of the Municipal Employment Relations Act which it alleges were violated by Respondent.

Dated at Madison, Wisconsin this 15th day of June, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Sherwood Malamud, Examiner