STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

LOCAL UNION NO. 727B, AFSCME, AFL-CIO, :

Complainant,

VS.

Case XVIII

No. 20685 MP-645 Decision No. 14811-A

MENOMONIE JOINT SCHOOL DISTRICT NO. 1, :

Respondent.

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

A complaint of prohibited practices having been filed with the Wisconsin Employment Relations Commission, herein Commission, by Local Union No. 727B, AFSCME, AFL-CIO, on July 23, 1976 wherein it alleged that Menomonie Joint School District No. 1 had committed prohibited practices within the meaning of the Municipal Employment Relations Act, and the Commission having appointed Dennis P. McGilligan, a member of the Commission's staff, to act as Hearing Examiner in the matter; and the Examiner having scheduled the matter for hearing; and thereafter Respondent, on August 4, 1976, having filed a Motion to make more Definite and Certain; and the Examiner having considered said Motion;

NOW, THEREFORE, it is

ORDERED

- That Respondent's Motion to make the complaint more definite and certain, filed in the above entitled matter be, and the same hereby is, granted in part, and that therefore said amended complaint specify:
 (1) The name(s) of the person(s) alleged to have been disadvantageously affected by the actions of the Board of Education and James Verchota which are alleged in paragraph 6 of the aforementioned complaint, and (2) The specific acts and manner in which said employes were disadvantageously affected by the actions alleged in paragraph 6 of the complaint.
- That the Complainant need not furnish Respondent with the names of the employes alleged to have failed or refused to sign Union membership applications, and the manner in which said employes were either uneffected or insignificantly affected by the actions alleged in paragraph 6 of the complaint.
- That the information noted in paragraphs (1) and (2) supra should be filed by the Complainant with the Commission, with a copy to Respondent, by August 16, 1976.
- That the date for Respondent filing an Answer with the Commission, with a copy to Complainant, is hereby extended to August 27, 1976.

Dated at Madison, Wisconsin this 6th day of August, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Dennis P. McGilligan, Examiner

Menomonie Joint School District No. 1, XVIII, Decision No. 14811-A

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

Inasmuch as Respondent is entitled to know the identity of the individuals involved and the specific alleged acts which disadvantageously affected said employes, Complainant is required to provide said information to Respondent so that Respondent can then have adequate knowledge of the charges against which it must defend.

It is not normally the policy of the Commission to direct the Union to divulge the identity of person(s) who apply for union membership. However, since the complaint was framed in such a way that the individuals named therein who allegedly were disadvantageously effected by certain actions of the Board of Education and its agents may be one and the same as those who hold union membership, this Order, although it may have the effect of identifying certain union members, should not be construed as a reversal of the above-stated policy.

If the Complainant provides the information as ordered above, the Examiner is of the opinion that the Respondent need not be provided the information as requested in part two of its motion dated August 3, 1976, in order to prepare an Answer.

Dated at Madison, Wisconsin this 6th day of August, 1976.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Dennis P. McSilligan, Examiner