

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

FRANCIS G. WASH,	:	
	:	
	:	
Complainant,	:	
	:	Case VIII
vs.	:	No. 21287 Ce-1712
	:	Decision No. 15221-B
NEKOOSA PAPERS, INC.,	:	
	:	
Respondent.	:	
	:	

ORDER DISMISSING COMPLAINT

Francis G. Wash, hereinafter Complainant, having on January 26, 1977, filed a complaint with the Wisconsin Employment Relations Commission alleging that Nekoosa Papers, Inc., hereinafter Respondent, has committed prohibited practices within the meaning of the Wisconsin Employment Peace Act; and the Commission having appointed Dennis P. McGilligan, Examiner to make and issue Findings of Fact, Conclusions of Law and Order; and Respondent on February 9, 1977 having filed a Motion To Dismiss and in the alternative a motion to make complaint more definite and certain; and Complainant having filed no response to the above Motions; and the Examiner on March 2, 1977 having issued an Order which in part denied motion to dismiss and granted motion to make complaint more definite and certain; and thereafter the Complainant having filed no response to the above Order; and the Examiner by letter dated March 28, 1977 having informed the Complainant that his failure to respond to the aforementioned Order in writing by March 31, 1977 would constitute grounds for the dismissal of the Complaint; and the Complainant having made no response to the said letter; and the Examiner being advised in the premises makes and issues the following

ORDER

That the Complaint in the above matter be, and the same hereby is, dismissed.

Dated at Madison, Wisconsin this 4th day of April, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By *Dennis P. McGilligan*
 Dennis P. McGilligan, Examiner

MEMORANDUM ACCOMPANYING ORDER DISMISSING COMPLAINT

Complainant filed his complaint on January 26, 1977. Thereafter on February 9, 1977 Respondent timely filed Motions to dismiss and to make the complaint more definite and certain. The Complainant made no response to the above motions. The Examiner issued an Order dated March 2, 1977 wherein he directed the Complainant to make his Complaint more definite and certain with respect to allegations contained therein by stating a clear and concise statement of the facts constituting the alleged unfair labor practice and by stating the specific section of 111.06 of the Wisconsin Statutes allegedly violated by Respondent with regard to said facts. Subsequently, the Examiner informed the Complainant by phone that his failure to respond to said Order could lead to dismissal of the Complaint. On March 28, 1977 the Examiner sent the following letter by certified mail to the Complainant:

"By Order dated March 2, 1977 the undersigned directed you to make your complaint more definite and certain with respect to the allegations contained therein and to file said information with the Commission and serve a copy of same upon Respondent on or before March 21, 1977. To date I have not received a reply. Absent a showing of good cause, failure to supply said information in writing by March 31, 1977 shall be grounds for the dismissal of the complaint."

The Complainant made no response to the above letter.

Based on all of the above, the Examiner has issued an Order dismissing the Complaint in the matter.

Dated at Madison, Wisconsin this 4th day of April, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By *Dennis P. McGilligan*
Dennis P. McGilligan, Examiner