

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Respondent.

Case XVI  
No. 21863 Ce-1740  
Decision No. 15679

No. 15679

MEMORANDUM ACCOMPANYING ORDER APPOINTING EXAMINER

On June 14, 1977 Local 150 Service and Hospital Employees' International Union filed a written request with the Wisconsin Employment Relations Commission for the appointment of a staff arbitrator to hear and decide an unresolved contractual dispute pursuant to the Union's description of the dispute settlement provisions of its labor agreement with Appleton Memorial Hospital. At outset of the scheduled arbitration hearing on July 8, 1977, Local 150, hereinafter Complainant, and Appleton Memorial Hospital hereinafter Respondent, stipulated that the designated staff arbitrator appointed by the Commission to decide the Corpian grievance, could hear the matter as an Examiner in a complaint of unfair labor practice proceeding pursuant to Section 111.06(1)(f) and 111.07(5) of the Wisconsin Employment Peace Act. The parties' labor agreement contains no arbitration provision. The parties agreed to waive notice of hearing, transcript of record and further requested that the Commission issue Order Appointing Examiner after completion of the hearing on July 8, 1977. 2/ The parties further stipulated that the staff member of the Commission could issue as Examiner, Findings of Fact, Conclusion of Law and Order from his hand written notes of sworn testimony, exhibits and supplemental tape-recording of the hearing conducted on July 8, 1977. The Respondent made answer at outset of hearing in the form of an oral denial that it had violated either the existing labor agreement or Section 111.06(1)(f) of the Wisconsin Statutes.

The Commission, in the attached Order has appointed Robert M. McCormick, as Examiner to hear and issue Findings of Fact, Conclusions of Law and Order according to the stipulated conditions and waivers submitted by the parties as described herein.

Dated at Madison, Wisconsin this 19th day of July, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Morris Slavney  
Morris Slavney, Chairman

Charles D. Hoornstra  
Charles D. Hoornstra, Commissioner

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2/ The parties by July 14, 1977 filed with the Commission written waivers of the procedural requirements of Section 111.07 and Wis. Admin. Code, ERB 2.02 through 2.05.