#### STATE OF WISCONSIN

### BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

TERRANCE P. CANTWELL AND WISCONSIN

STATE EMPLOYEES UNION, AFSCME,

COUNCIL 24, AFL-CIO,

Complainants,

vs.

STATE OF WISCONSIN DEPARTMENT OF

STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION,

Respondent.

Case CVIII

No. 21910 PP(S)-47 Decision No. 15716-A

## ORDER DENYING MOTION FOR POSTPONEMENT OF HEARING AND SCHEDULING HEARING ON MOTION TO DISMISS

Terrance P. Cantwell and Wisconsin State Employees Union, AFSCME, Council 24, AFL-CIO, herein Complainants, having on July 28, 1977, filed a complaint with the Wisconsin Employment Relations Commission alleging that the State of Wisconsin, Department of Administration, herein Respondent, had committed certain unfair labor practices within the meaning of the State Employment Labor Relations Act; and the Commission having appointed Peter G. Davis, a member of its staff, to act as Examiner in said matter; and a hearing on the complaint having been scheduled for October 26, 1977; and on October 11, 1977 Respondent having filed a motion to dismiss the instant complaint and a motion for postponement of the hearing pending disposition of the motion to dismiss; and the Examiner having considered said motions and being fully advised in the premises makes and issues the following

#### ORDER

- 1. That Respondent's motion for postponement of the hearing be, and the same hereby is, denied.
- 2. That hearing and argument on Respondent's motion to dismiss is hereby scheduled for Wednesday, October 26, 1977 at 9:30 a.m. in the Commission's offices, Room 910, 30 West Mifflin Street, Madison, Wisconsin.

Dated at Madison, Wisconsin this 14th day of October, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Peter G. Davis Examiner

DEPT. OF ADMINISTRATION (SECURITY & PUBLIC SAFETY), CVIII, Decision No. 15716-A

# MEMORANDUM ACCOMPANYING ORDER DENYING MOTION FOR POSTPONEMENT AND SCHEDULING HEARING ON MOTION TO DISMISS

In an effort to expeditiously allow the parties to present evidence and argument on Respondent's motion to dismiss, the Examiner has scheduled same for the previously established hearing date of October 26. Both parties should also be prepared to present evidence and argument on the merits of the complaint at that time.

Dated at Madison, Wisconsin this 14th day of October, 1977.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Peter G. Davis, Examiner