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CITY OF WAUWATOSA,

Petitioner,

vs.

Case No. 459-866

WISCONSIN EMPLOYMENT RELATIONS  
COMMISSION,

Respondent.

Decision No. 15917

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DECISION

Pursuant to Wisconsin Statute 227.20, the Court hereby remands the above-entitled case to the Commission for further consideration and testimony, in view of the following:

1. That the City of Wauwatosa has a new Fire Chief (or Acting Fire Chief).
2. Because this is a case of first impression and requires close and full scrutiny.
3. A determination of what the customs and practices are of other Fire Departments in the State of Wisconsin.
4. Review the necessity of the training programs the former chief testified to and whether that issue has been resolved.
5. Determine what the hourly rate of compensation is based upon a 24 hour day and based upon an 8 hour duty day, compare it with similar hourly rates in other comparable governmental occupations.
6. Review the recent Wisconsin cases.
7. Any other determination or testimony the Commission feels is necessary.

The Court further finds that there may be an erroneous interpretation of the current state of the law and that the Commission's decision as it has been rendered is not supported by substantial evidence in the record.

Dated at Milwaukee, Wisconsin, this 16th day of October, 1979.

BY THE COURT:

/s/ Ralph G. Gorenstein  
Hon. Ralph G. Gorenstein, Circuit Judge