

WISCONSIN EMPLOYMENT
RELATIONS COMMISSION,

Petitioner,

Case No. 10241

v.

Decision No. 16308-B

JOHNSON ROOFING & INSULATION
COMPANY and JAMES JOHNSON,

Respondents.

J U D G M E N T

This court having entered judgment on December 28, 1978, directing respondents either to pay certain amounts required under respondents' labor agreement with Roofers' Local No. 6, or to appear and participate in contractually established arbitration proceedings; and

A copy of the judgment having been duly served upon the respondents on January 4, 1979; and

The Commission having petitioned the court on January 19, 1978, to commence civil contempt proceedings; and

The court having ordered respondents to appear before the court on February 26, 1979, to show cause why such respondents should not be found in contempt and punished for their disobedience to the court's December 28, 1979, judgment; and

The order to show cause having been duly served upon the respondents on February 23, 1979; and

The order to show cause having come on for hearing before the court, the Honorable Leonard Roraff, presiding, on February 26, 1979; and

The Commission having appeared by David C. Rice, Assistant Attorney General, and the respondents having failed to appear; and

The court having heard the testimony of Philip Schultz, business agent for Roofers' Local No. 6, and having had the benefit of the argument and recommendations of counsel for the Commission,

Now Therefore, IT IS ORDERED, ADJUDGED AND DECREED:

(1) That James Johnson, individually and as owner/officer of Johnson Roofing & Insulation Company, has failed to comply with and is in contempt of this court's December 28, 1979, judgment;

(2) That such disobedience to the lawful judgment of this court has impeded, impaired, defeated and prejudiced the rights and remedies of the Wisconsin Employment Relations Commission and Roofers' Local No. 6;

(3) That commencing one week after service of this judgment upon him, James Johnson shall be committed to the Rock County Jail for a period not to exceed 90 days; provided, however, that he shall not be imprisoned or shall be released earlier than 90 days after imprisonment if he either pays to Roofers' Local No. 6 the amounts required under the labor agreement for the Construction Industry Welfare Fund, or agrees to appear and participate in a proceeding before the contractually established Joint Arbitration Board to determine whether he owes such amounts;

(4) That a copy of this judgment shall be duly served upon James Johnson;

(5) That the Rock County Sheriff hereby is authorized and directed to commit James Johnson to the Rock County Jail, as may be necessary to effectuate the terms of this judgment.

Dated at Beloit, Wisconsin, this 28th day of February, 1979.

BY THE COURT:

Leonard Roraff /s/
HON. LEONARD RORAFF
Reserve Circuit Judge.