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STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 5

WISCONSIN EMPLOYMENT
RELATIONS COMMISSION
WINNEBAGO COUNTY

MENASHA TEACHERS UNION, LOCAL 1166,
WFT, AFT, AFL-CIO,

Petitioners,

Case No. 81-CV-1007

v.

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Decision No. 16589-B

Respondent.

NOTICE OF ENTRY OF ORDER AND JUDGMENT

TO: John S. Williamson, Jr.
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Joint School District

PLEASE TAKE NOTICE that an order and judgment, of which
a true and correct copy is hereto attached, was signed by the court
on the 15th day of August, 1983, and duly entered in the Circuit

Court for Winnebago County, Wisconsin, on the 16th day of August,
1983.

Dated at Madison, Wisconsin, this 25th day of August, 1983.

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STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 5

WINNEBAGO COUNTY

MENASHA TEACHERS UNION, LOCAL 1166,
WFT, AFT, AFL-CIO, and WISCONSIN
FEDERATION OF TEACHERS, AFT, AFL-CIO,

Petitioners,

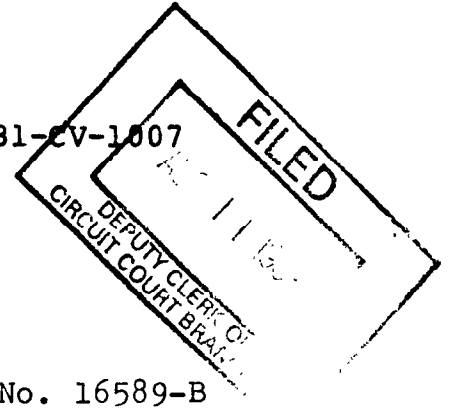
Case No. 81-CV-1007

v.

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Respondent.

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ORDER

The above-entitled matter came before the court for a July 14, 1983 hearing on the petitioners' petition for review of the Wisconsin Employment Relations Commission's findings, conclusions and order dated September 4, 1981. The petitioners, the Commission and the Wisconsin Education Association Council, as amicus curiae, presented oral arguments and briefs, and a brief was also filed with the court by Menasha School District. Petitioners were represented at the hearing by John S. Williamson, Jr., Habush, Habush & Davis, S.C.; the Commission was represented by John D. Niemisto, Assistant Attorney General; and WEAC was represented by Michael L. Stoll, Staff Counsel.

The court considered the record and the parties written and oral arguments and issued its decision from the bench on July 14, 1983, reversing the Commission's conclusion of law and order.

The Commission's conclusion of law and order constituting the subject of the petition for review in this matter read as follows:

CONCLUSION OF LAW

The [Menasha Joint School] District's refusal at the outset of the 1978-79 school year to advance all of its teachers under the terms of the salary grid contained in the expired contract was not violative of Section 111.70(3)(a)1, 3, or 4 of MERA.

FILED
DEPUTY CLERK
CIRCUIT COURT
MERCER COUNTY
BRIDGEVILLE, PA.

ORDER

It is ordered that the Complaint herein be, and it hereby is, dismissed in its entirety.

NOW, THEREFORE, IT IS ADJUDGED that the foregoing Conclusion of Law is erroneous insofar as it concludes that the District's conduct referred to did not violate Sections 111.70(3)(a)1 and 4 of MERA.

IT IS FURTHER ADJUDGED that the foregoing Order is erroneous insofar as it dismisses the Complaint as regards alleged violations of Section 111.70(3)(a)1 and 4 of MERA.

IT IS FURTHER ADJUDGED that insofar as the foregoing Conclusion of Law and Order relate to sec. 111.70(3)(a)1 and 4 of MERA, the same shall be and hereby are reversed.

IT IS FURTHER ADJUDGED that the Conclusion of Law and Order in the above matter shall be and hereby are modified to read as follows:

REVISED CONCLUSIONS OF LAW

1. The [Menasha Joint School] District's refusal at the outset of the 1978-79 school year to advance all of its teachers under the terms of the salary grid contained in the expired contract was violative of Section 111.70(3)(a)4 and 1 of MERA.

2. The [Menasha Joint School] District's refusal at the outset of the 1978-79 school year to advance all of its teachers under the terms of the salary grid contained in the expired contract was not violative of Section 111.70(3)(a)3 of MERA.

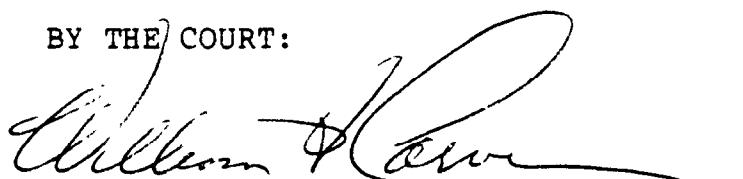
REVISED ORDER

1. By way of remedy for the violation noted in Conclusion of Law No. 1, above, the Menasha Joint School District, its officers and agents, shall immediately cease and desist from unilaterally changing conditions of employment without fulfilling its duty to bargain in good faith with Menasha Teachers Union, Local 1166, WFT, AFT, AFL-CIO.

2. Except as noted above, the Complaint herein be, and it hereby is, dismissed in its entirety.

Dated at Oshkosh, Wisconsin, this 15 day of August, 1983.

BY THE COURT:



William H. Carver
Circuit Judge