

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

WASHINGTON COUNTY DEPUTY SHERIFF'S
ASSOCIATION,

Complainant,

vs.

WASHINGTON COUNTY (SHERIFF'S
DEPARTMENT),

Respondent.

Case XXXIX
No. 23014 MP-943
Decision No. 16848-A

ORDER POSTPONING HEARING, EXTENDING TIME TO ANSWER AND
TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN

Washington County Deputy Sheriff's Association, herein Complainant, having filed a complaint with the Wisconsin Employment Relations Commission alleging that Washington County (Sheriff's Department), herein Respondent, has committed prohibited practices under the Municipal Employment Relations Act; and the Commission thereafter having appointed Timothy E. Hawks, a member of the Commission's staff to act as Examiner in said matters; and the Examiner having set the matter for hearing to be held on Wednesday, February 28, 1979; and the Respondent having filed a Motion to Postpone Hearing, Extend Time to Answer and Make Complaint More Definite and Certain; and the Examiner having determined that said complaint does not include a statement of specific statutory section or sections which have allegedly been violated by Respondent;

NOW, THEREFORE, it is

ORDERED

1. That Complainant file an amended complaint before Wednesday, March 7, 1979 which specifically sets forth the statutory section(s) which Respondent has allegedly violated.
2. That until said amended complaint is filed with the Examiner, the instant matter will not be rescheduled for hearing.
3. That the hearing shall not be rescheduled fewer than ten days from the filing of the amended complaint and that the Respondent shall have until seven days prior to the rescheduled hearing to file an answer.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By


Timothy E. Hawks, Examiner

No. 16848-A

MEMORANDUM ACCOMPANYING ORDER POSTPONING HEARING, EXTENDING
TIME TO ANSWER AND TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN

Inasmuch as Complainant has failed to specify the specific statutory section(s) allegedly violated by the Respondent as required by ERB Rule 12.02(2)(c), the Examiner has ordered Complainant to amend the complaint to supply said information. Absent a showing of good cause, failure to supply said information by March 7, 1979 shall be grounds for the dismissal of complaints. In light of the failure of the Complainant to specify the specific statutory provision upon which it relies in alleging that the Respondent has committed a prohibited practice, the Respondent is granted a postponement of the hearing and an extension of time to answer which shall run until seven days prior to the date the hearing is rescheduled.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Timothy E. Hawks
Timothy E. Hawks, Examiner