

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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WISCONSIN GENERAL AND INDUSTRIAL	:	
WORKERS UNION LOCAL 104, AFL-CIO, LDIU,	:	
	:	
Complainant,	:	Case XXIII
	:	No. 24143 Ce-1808
vs.	:	Decision No. 16858-A
	:	
CHECKER TAXI COMPANY, INC.	:	
	:	
Respondent.	:	
	:	

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ORDER TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN

Wisconsin General and Industrial Workers Union Local 104, AFL-CIO, LDIU, herein Complainant, filed a complaint on February 12, 1979 with the Wisconsin Employment Relations Commission alleging that Checker Taxi Company, Inc., hereafter Respondent, had committed unfair labor practices within the meaning of the Wisconsin Employment Peace Act. The Commission thereafter appointed Ellen J. Henningsen, a member of the Commission's staff, to act as Examiner and to make and issue Findings of Fact, Conclusions of Law and Order pursuant to Section 111.07 of the Wisconsin Employment Peace Act. The Examiner has determined that the complaint does not include a clear and concise statement of the facts constituting the alleged unfair labor practices;

NOW, THEREFORE, it is

ORDERED

1. That Complainant file an amended complaint:
  - A) specifying which grievances, including the date the grievance was filed, the name of the grievant and the subject matter of the grievance, Respondent is allegedly failing and refusing to arbitrate; and
  - B) specifying which Arbitration Awards, including the date of the Award, the Arbitrator's name and subject matter of the Award, Respondent is allegedly failing and refusing to accept.
2. Until said amended complaint is filed, the complaint will not be set for hearing.

Dated at Madison, Wisconsin this 21st day of February, 1979.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Ellen J. Henningsen  
Ellen J. Henningsen, Examiner

MEMORANDUM ACCOMPANYING ORDER TO MAKE COMPLAINT MORE  
DEFINITE AND CERTAIN

Complainant alleges that Respondent has violated Sections 111.06(1)(a), (f) and (g) of the Wisconsin Employment Peace Act by "failing and refusing to arbitrate and to abide by arbitrators' decision concerning grievances which were filed, processed and for which arbitration was invoked during the life of a collective bargaining agreement between the Respondent and the Complainant." Complainant has not indicated specifically which grievances Respondent has allegedly failed and refused to arbitrate or which Arbitration Awards Respondent has allegedly failed or refused to accept.

ERB rule 2.02(c) requires Complainant to include in its complaint "a clear and concise statement of the facts constituting the alleged unfair labor practice, including the time and place of occurrence of particular acts and the names of persons involved." Due to the above-noted omissions, Complainant has not fulfilled the requirements of ERB rule 2.02(c). The Examiner, pursuant to her authority under Section 111.07(5), Wis. Stats., has issued the accompanying Order, requiring Complainant to furnish the information.

Dated at Madison, Wisconsin this 21st day of February, 1979.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Ellen J. Henningsen  
Ellen J. Henningsen, Examiner