STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

HERBERT ZUEGE,

Complainant,

CITY OF WISCONSIN RAPIDS and ALLEN SPENCER,

Respondents.

Case XXXV

No. 25136 MP-1028 Decision No. 17303-A

. _ _ _ _ _ _ _ _ _ _ _

vs.

Appearances:

Lukas, Starr, Zappen and Huttenburg, Attorneys at Law,

Mr. Edward F. Zappen, Jr., appearing on behalf of
Complainant.

Mr. Kenneth Hill, City Attorney, appearing on behalf of the Municipal Employer and Allen Spencer, Respondents.

ORDER OF DISMISSAL

Herbert Zuege, an individual and hereinafter referred to as Complainant, filed on September 18, 1979, with the Wisconsin Employment Relations Commission, hereinafter the Commission, a complaint of prohibited practices against the City of Wisconsin Rapids and Allen Spencer, its Chief of Police, hereinafter Respondents herein. The Commission appointed Sherwood Malamud, a member of the Commission's staff, to act as Examiner and to make and issue Findings of Fact, Conclusions of Law and Order. Hearing in the matter was scheduled for October 16, 1979, and postponed to November 2, 1979. Prior to hearing, Complainant and Respondents settled their underlying dispute, the terms of which are recited in the attached memorandum. On the basis of that accord, Complainant requests, and Respondents concur, in the dismissal of the above-captioned matter. The Examiner being fully advised in the premises, makes and issues the following

ORDER

That the complaint in the above-captioned matter be, and the same hereby is, dismissed.

Dated at Madison, Wisconsin this 30 day of December, 1979.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Sherwood Malamud, Examiner

MEMORANDUM ACCOMPANYING ORDER OF DISMISSAL

The parties agreed as follows:

In consideration for withdrawal of the prohibitive practice charge, the City of Wisconsin
Rapids and Allen Spencer, Chief of Police, Wisconsin Rapids Police Department, will henceforth
recognize the right of City Police Officers to
union representation at any pre-discipline interviews or at any interview where the officer reasonably believes that any form of discipline may be
imposed as a result of the interview and where the
officer requests such representation.

Dated at Madison, Wisconsin this 2c day of December, 1979.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Sherwood Malamud, Examiner

SM/lq

cc - Mr. David J. Lukas, Lukas, Starr, Zappen & Huttenburg, Attorneys at Law, 195 Second Street North, P.O. Box 1175, Wisconsin Rapids, Wisconsin 54494

City Clerk, City of Wisconsin Rapids, Wisconsin Rapids, Wisconsin 54494

Mr. Allen Spencer, Chief of Police, 341 - 19th Street South, Wisconsin Rapids, Wisconsin 54494

Mr. Herbert Zuege, 171 - 14th Avenue South, Wisconsin Rapids, Wisconsin 54494

Mr. Kenneth Hill, Attorney at Law, 214 West Grand Avenue, Wisconsin Rapids, Wisconsin 54494