

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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MILWAUKEE DISTRICT COUNCIL 48,	:	Case CLXII
AMERICAN FEDERATION OF STATE, COUNTY	:	No. 26229 MP-1111
AND MUNICIPAL EMPLOYEES, AFL-CIO,	:	Decision No. 17870-A
and its affiliated LOCAL 366,	:	
	:	
Complainant,	:	
	:	
vs.	:	
	:	
SEWERAGE COMMISSION OF THE	:	
CITY OF MILWAUKEE	:	
	:	
Respondent.	:	
	:	

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ORDER GRANTING MOTION TO MAKE  
COMPLAINT MORE DEFINITE AND CERTAIN AND  
EXTENDING TIME TO FILE AN ANSWER AND  
RESCHEDULING HEARING

On May 19, 1980 Milwaukee District Council 48, AFSCME, AFL-CIO and its affiliated Local 366, hereinafter Complainant filed a complaint of prohibited practices against the Sewerage Commission of the City of Milwaukee, hereinafter Respondent, with the Wisconsin Employment Relations Commission, hereinafter the Commission. On June 9, 1980, the Commission appointed Sherwood Malamud, a member of its staff, Examiner and authorized him to make and issue Findings of Fact, Conclusions of Law and Order in the matter. The written complaint was served on Respondent on June 10, 1980. On June 12, 1980 Respondent filed its Motion to Make the Complaint More Definite and Certain, to extend the time for filing an answer and to reschedule the hearing. The Examiner did not receive any statement from Complainant concerning said motions. The Examiner, being fully advised in the premises, makes and issues the following

ORDERS

1. That Complainant amend paragraph 4 of its complaint:
  - a) by identifying the person who made an offer to a grievant of the kind further described in paragraph 4 of its complaint and by stating the date on which said offer was made.
  - b) by identifying the grievant to whom said offer was made.
  - c) by stating the matter at issue in connection with which the alleged offer was made.
  
2. That these amendments be filed with the Examiner and a copy of same mailed to Respondent's counsel

Nicholas M. Siegel  
Principal Assistant City Attorney  
800 City Hall  
Milwaukee, WI 53202

on or before July 7, 1980. Failure to so amend the Complaint may result in its dismissal.

3. That Respondent shall file an answer with the Examiner and mail a copy of same to

Mr. Joseph Robison  
Milwaukee District Council  
48  
3427 West St. Paul Avenue  
Milwaukee, Wisconsin 53208

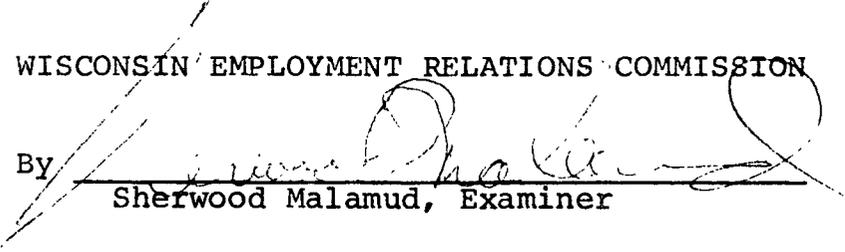
on or before July 15, 1980.

4. That the hearing scheduled for June 25, 1980 is hereby postponed to July 21, 1980 at 10:00 a.m. at the UW Extension - Civic Center, 929 N. 6th Street, Room 428 in Milwaukee, Wisconsin.

Dated at Madison, Wisconsin this 20th day of June, 1980.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Sherwood Malamud, Examiner

MEMORANDUM ACCOMPANYING ORDER GRANTING  
MOTION TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN  
AND EXTENDING TIME TO FILE AN ANSWER  
AND RESCHEDULING HEARING

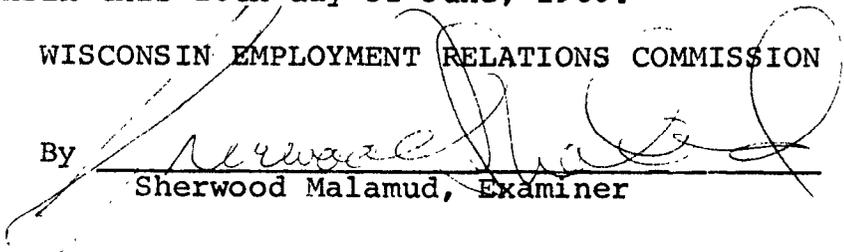
Respondent's motion to make the Complaint More Definite and Certain was timely filed (ERB 12.03 (3)). Respondent seeks in its motion information as to who made an offer of settlement, to whom it was made and the subject matter under consideration by the participants to such offer. The information sought by Respondent will enable it to determine the incident complained of, and permit it to prepare a response to the charge. In order to identify the incident(s) complained of, the Examiner has ordered Complainant to provide the date or date(s) on which the alleged incident took place. The above information will bring the complaint in conformance with ERB 12.02(2)(c) which provides that a complaint contain:

A clear and concise statement of facts constituting the alleged prohibited practice or practices including the time and place of occurrence of particular acts.

Dated at Madison, Wisconsin this 20th day of June, 1980.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By

  
Sherwood Malamud, Examiner