

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

PHYLLIS ANNE BROWNE, BEVERLY ENGELLAND, ELEANORE
PELISKA, BETTY C. BASSETT, YETTA DEITCH, VIRGINIA
LEMBERGER, DONNA SCHLAEFER, KATHERINE L. HANNA,
LORRAINE TESKE, JUDITH D. BERNIS, NINETTE SUNN,
MARY MARTINETTO, CHARLOTTE M. SCHMIDT and ESTHER
PALSGROVE, and 56 other named individuals,

Complainants,

vs.

THE MILWAUKEE BOARD OF SCHOOL DIRECTORS; THE
AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES, AFL-CIO; DISTRICT COUNCIL 48,
AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES, AFL-CIO; JOSEPH ROBISON,
DIRECTOR OF DISTRICT COUNCIL #48; LOCAL 1053,
AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES, AFL-CIO; MARGARET SILKEY,
as President of Local 1053; and FLORENCE
TEFELSKE, as Treasurer of Local 1053,

Respondents.

Case 99
No. 23535
MP-892
Dec. No. 18408-H
[WERC is using the
following electronic
file name:
18408-I]

WALTER L. JOHNSON, MARSHALL M. SCOTT, GERALD
LERANTH, OLIVER J. WALDSCHMIDT, ERNA BYRNE,
CHRISTINA PITTS, MILDRED PIZZINO, JOHN P.
SKOCIR, HELEN RYZNAR, ANNABELLE WOLTER,
CHERRY ANN LE NOIR, DORIS M. PIPER,
LYNN M. KOZLOWSKI, EDWARD L. BARLOW,
IRVING NICOLAI, and ANN C. TEBO, and the
12 additional complainants whose joinder
was moved 11-16-83 and not opposed by Respondents,

Complainants,

vs.

COUNTY OF MILWAUKEE, a body Corporate;
AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES, AFL-CIO; DISTRICT
COUNCIL 48, AMERICAN FEDERATION OF
STATE, COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO, and JOSEPH ROBISON, its
Director; LOCAL 594, AFSCME, affiliated
with District Council 48; LOCAL 645,
AFSCME, affiliated with District Council 48;
LOCAL 882, AFSCME, affiliated with District
Council 48; LOCAL 1055, AFSCME, affiliated
with District Council 48; LOCAL 1654,
AFSCME, affiliated with District Council 48;
and Local 1656, AFSCME, affiliated with
District Council 48,

Respondents.

Case 161
No. 29581
MP-1322
Dec. No. 19545-H

No. 18408-H
No. 19545-H

Appearances:

- Mr. Raymond J. LaJeunesse, Jr., National Right to Work Legal Defense Foundation, Inc., 8001 Braddlock Road, Suite 600, Springfield, Virginia 22160, on behalf of the Complainants.
- Davis & Kuelthau, S.C., by Mr. David J. Vergeront, First Savings Plaza, Suite 1800, 250 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, on behalf of the Complainants in Browne.
- Lindner & Marsack, S.C., by Mr. Charles P. Stevens, 700 North Water Street, Milwaukee, Wisconsin 53202, on behalf of the Complainants in Johnson.
- Kirschner, Weinberg & Dempsey, Attorneys at Law, by Mr. Larry P. Weinberg and Mr. John J. Sullivan, 1615 L Street, N.W., #1360, Washington, D.C. 20036, Lawton & Cates, Attorneys at Law, by Mr. John H. Bowers, 214 East Mifflin Street, Madison, Wisconsin 53703, and Zubrensky, Padden, Graf & Maloney, Attorneys at Law, by Mr. James P. Maloney, 828 North Broadway, Suite 410, Milwaukee, Wisconsin 53202, on behalf of Respondent Unions.
- Mr. Stuart S. Mukamal, Assistant City Attorney, Office of City Attorney, 800 City Hall, 200 East Wells Street, Milwaukee, Wisconsin 53202, on behalf of Respondent Milwaukee Board of School Directors.
- Mr. Robert G. Ott, Deputy Corporation Counsel, Milwaukee County, Milwaukee County Courthouse, Room 303, Milwaukee, Wisconsin 53233, on behalf of Respondent Milwaukee County.

ORDER DENYING MOTION TO MODIFY ORDER

The Commission having, on April 24, 1987, issued its Findings of Fact, Conclusions of Law and Order in these matters; and the Respondent Unions having, on September 14, 1987, filed with the Commission a Motion for Modification of Said Orders wherein they requested that the Commission modify its Order so as to relieve the Respondent Unions from having to escrow all of the fair-share fees deducted from, and not advance rebated to, all fair-share fee payors in the relevant bargaining units from March 4, 1986, until further order of the Commission; and the Commission 1/ having considered the Respondent Unions' Motion, and being satisfied that it should be denied;

NOW, THEREFORE, it is

ORDERED

That the Respondent Unions' Motion for Modification of Said Orders be, and the same hereby is, denied.

Given under our hands and seal at the City of
Madison, Wisconsin this 16th day of September,
1987.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Stephen Schoenfeld
Stephen Schoenfeld, Chairman

Herman Torosian
Herman Torosian, Commissioner

1/ Commissioner Davis Gordon did not participate as she is presently on maternity leave.