

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

LOCAL 391, INTERNATIONAL
UNION, UNITED AUTOMOBILE,
AEROSPACE AND AGRICULTURAL
IMPLEMENT WORKERS OF AMERICA,

Complainant,

vs.

WEBSTER ELECTRIC COMPANY, INC.,

Respondent.

Case XI
No. 28887 Ce-1937
Decision No. 19215-B

ORDER MODIFYING EXAMINER'S ORDER

Examiner Edmond J. Bielarczyk, Jr., issued his Findings of Fact, Conclusion of Law and Order on May 26, 1982, in which he ordered that the petition be dismissed. The Examiner finds that he erroneously stated in the prefatory paragraph that he was appointed by the Commission pursuant to Section 111.06(1)(f) of the Wisconsin Employment Peace Act. The correct Section is 111.07(5). Furthermore, he erroneously stated in the Conclusion of Law that Webster Electric Company, Inc., has not committed and is not committing an unfair labor practice within the meaning of Section 111.07(5) of the Wisconsin Employment Peace Act. The correct Section is 111.06(1)(f). Pursuant to Section 111.07 the Examiner may modify his decision within 20 days of its issuance. Accordingly, the Examiner issues the following

ORDER

That the Examiner's Order dated May 26, 1982 specifically at the prefatory paragraph on page 1 and at the Conclusion of Law on Page 3 be modified as follows:

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

A complaint of unfair labor practices having been filed with the Wisconsin Employment Relations Commission in the above-entitled matter; and the Commission having appointed Edmond J. Bielarczyk, Jr., a member of the Commission's staff, to act as Examiner and to make and issue Findings of Fact, Conclusion of Law and Order as provided in Section 111.07(5) of the Wisconsin Employment Peace Act; and hearing on said complaint having been held at Racine, Wisconsin on January 29, 1982; and a stenographic transcript of the proceedings having been prepared; and the parties having filed post-hearing arguments by April 2, 1982; and the Examiner having considered the evidence and arguments and being fully advised in the premises, makes and files the following Findings of Fact, Conclusion of Law and Order.

CONCLUSION OF LAW

That Webster Electric Company, Inc., by its discharge of Eddie Carter for cause, did not violate the terms and provisions of the collective bargaining agreement between it and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), Local Union No. 391, and, therefore, has not committed and is not committing an unfair labor practice within the meaning of Section 111.06(1)(f) of the Wisconsin Employment Peace Act.

Dated at Madison, Wisconsin this 1st day of June, 1982.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Edmond J. Bielarczyk, Jr.
Edmond J. Bielarczyk, Jr., Examiner