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MAY 2 1984

STATE OF WISCONSIN : CIRCUIT COURT : SHEBOYGAN COUNTY WISCONSIN EMPLOYMENT
RELATIONS COMMISSION

CITY OF SHEBOYGAN,

Petitioner,

vs.

ORDER

WISCONSIN EMPLOYMENT RELATIONS
COMMISSION,

Case No. 82-CV-403

Respondent.

Decision No. 19421-A

CLERK CIRCUIT COURT
SHEBOYGAN COUNTY
MAY 12 1984
P. 483

The above-captioned matter came before the Court on the petition for review by the City of Sheboygan. The Wisconsin Employment Relations Commission (hereinafter "WERC") and Local 483, International Association of Firefighters, filed a Notice of Appearance and Statement of Position. The Petitioner, the WERC and Local 483 filed briefs and the Petitioner and Local 483 presented oral arguments. The Petitioner was represented by Roger E. Walsh of Lindner, Honzik, Marsack, Hayman & Walsh, S.C., Attorneys at Law; the WERC was represented by Assistant Attorney General David C. Rice; and Local 483 was represented by Richard V. Graylow of Lawton & Cates, Attorneys at Law.

The Court considered the record and the parties' written and oral arguments, and thereafter issued its decision, dated February 22, 1984, which reversed in part, the declaratory ruling of the WERC.

NOW, THEREFORE, IT IS ADJUDGED that the following paragraphs of the Conclusion of Law and Declaratory Ruling of the WERC (Decision No. 19421), dated March 2, 1982, are hereby reversed and set aside:

"CONCLUSIONS OF LAW

1. That, since Sec. 111.77(4)(b) of the Municipal Employment Relations Act permits either a municipal employer, or the organization representing non-supervisory firefighting personnel of said municipal employer, to amend final offers, in a proceeding requesting final and binding arbitration of an impasse in collective bargaining, prior to the close of the investigation, the proposals submitted by Local 483, International Association of Firefighters, AFL-CIO, after it had filed its petition for such final and binding arbitration, but prior to the close of the investigation therein, were timely filed within the meaning of Sec. 111.77 of the Municipal Employment Relations Act."

"DECLARATORY RULING

2. That the City of Sheboygan has the duty to bargain collectively with Local 483, International Association of Firefighters, AFL-CIO, within the meaning of Sec. 111.70(3)(a)4 of the Municipal Employment Relations Act, with respect to the proposal of Local 483 relating to the installation and maintenance of bulletin boards for use of Local 483 in the performance of its role as the exclusive collective bargaining representative of the non-supervisory firefighters in the employ of the City of Sheboygan."

IT IS FURTHER ADJUDGED that this case is remanded to the WERC for further action consistent with the Decision of the Court in this matter.

Dated at Sheboygan, Wisconsin, this 19 day of March,
1984.

BY THE COURT:

By: /s/

Daniel P. Anderson
Circuit Judge