

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

GENERAL DRIVERS, DAIRY EMPLOYEES	:	
AND HELPERS LOCAL UNION NO. 579,	:	
	:	
Complainant,	:	
	:	Case VII
vs.	:	No. 29286 MP-1306
	:	Decision No. 19586-A
CITY OF SHULLSBURG,	:	
	:	
Respondent.	:	
	:	

Appearances:

Goldberg, Previant, Uelmen, Gratz, Miller & Brueggeman, S.C., Attorneys at Law, by Ms. Marianne Goldstein Robbins, 788 North Jefferson Street, P.O. Box 92099, Milwaukee, Wisconsin 53202, appearing on behalf of the Complainant.

Goldberg & Woods, S.C., Attorneys at Law, by Mr. Howard Goldberg, 217 South Hamilton Street, P.O. Box 671, Madison, Wisconsin 53701, appearing on behalf of the Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDERS

General Drivers, Dairy Employees and Helpers Local Union No. 579, filed a complaint of prohibited practices on February 11, 1982, with the Wisconsin Employment Relations Commission alleging that the City of Shullsburg committed prohibited practices in violation of Sec. 111.70(3)(a)1, 3 and 5 of the Municipal Employment Relations Act (MERA); the Commission appointed Sherwood Malamud, a member of its staff, to act as Examiner to make and issue Findings of Fact, Conclusions of Law and Orders as provided in Sec. 111.07(5), Wis. Stats., as made applicable to municipal employment by Sec. 111.70(4)(a) of Municipal Employment Relations Act; hearing on said complaint was held in Shullsburg, Wisconsin, on June 21, 1982, before the Examiner; subsequent to the hearing, Complainant filed an amended complaint on October 14, 1982, which conformed to the amendments it made on the record at the hearing. The parties filed post-hearing briefs which were received by the Examiner by November 5, 1982; the Examiner considered the evidence and arguments of the parties and being fully advised in the premises, makes and issues the following Findings of Fact, Conclusions of Law and Orders.

FINDINGS OF FACT

1. General Drivers, Dairy Employees and Helpers Local Union No. 579, hereinafter referred to as the Union, is a labor organization and is the exclusive collective bargaining representative of law enforcement employees of the City of Shullsburg. The Union maintains its offices at 2214 Center Avenue, Janesville, Wisconsin 53545.

2. The City of Shullsburg, hereinafter referred to as the City, is a municipal employer and it maintains its offices at 202 West Water Street, Shullsburg, Wisconsin 53586.

3. In the spring of 1980, the City voluntarily recognized the Union as the exclusive collective bargaining representative of law enforcement employees employed in the Police Department of the City. The table of organization for the Department provides for a Chief of Police, two full-time and one part-time Patrolmen.

4. On April 14, 1981, John E. Strause commenced his employment with the City as its Chief of Police. On April 28, 1981, Strause hired his friend, Steven P. Grube, into the position of a full-time Patrolman with the City's Police Department.

