

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

INTERNATIONAL ASSOCIATION OF
BRIDGE, STRUCTURAL AND
ORNAMENTAL IRONWORKERS, LOCAL
UNION NO. 383,

Complainant,

vs.

HENNES ERECTING COMPANY, INC.,

Respondent.

Case IV
No. 29714 Ce-1946
Decision No. 19675-A

ORDER DENYING MOTION TO DISMISS
AND SETTING NEW HEARING DATE

The above-named Complainant having, on May 10, 1982, filed a complaint with the Wisconsin Employment Relations Commission alleging that Hennes Erecting Company, Inc., hereinafter the Respondent, has committed unfair labor practices within the meaning of the Wisconsin Employment Peace Act; and the Commission having appointed Daniel L. Bernstone, Examiner, to make and issue Findings of Fact, Conclusions of Law and Order; and Respondent on June 23, 1982, having filed a Motion to Dismiss; and Complainant on July 12, 1982, having filed a response to the above motion; and the hearing scheduled for July 21, 1982 having been postponed indefinitely pending disposition of Respondent's Motion to Dismiss; and the Examiner being advised in the premises makes and issues the following

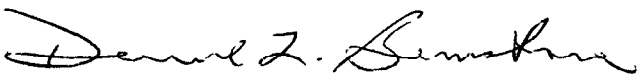
ORDER

1. That Respondent's Motion to Dismiss be, and the same hereby is, denied.
2. That hearing in the matter is hereby rescheduled for Thursday, February 24, 1983, commencing at 10:00 a.m. in the Commission's offices, Third Floor Conference Room A, 14 West Mifflin Street, Madison, Wisconsin.

Dated at Madison, Wisconsin this 6th day of January, 1983.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By



Daniel L. Bernstone, Examiner

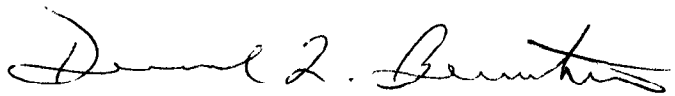
MEMORANDUM ACCOMPANYING
ORDER DENYING MOTION TO DISMISS
AND SETTING NEW HEARING DATE

The Examiner has denied Respondent's Motion to Dismiss on the grounds that it is premature, and because the allegations contained in the Complaint set forth matters in the nature of a contested case, 1/ requiring a full hearing on the pleadings. 2/

The parties are urged to take notice of the new hearing date scheduled in the matter.

Dated at Madison, Wisconsin this 6th day of January, 1983.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By 
Daniel L. Bernstone, Examiner

1/ Wisconsin Statutes, Section 111.07(2)(a), Section 111.07(4), Section 227.

2/ Mutual Fed. Savings & Loan Assoc. v. Savings & Loan Adv. Comm.; (1968) 38 Wis. 2d 381; State ex rel. City of LaCrosse v. Rothwell, (1964) 25 Wis. 2d 228, rehearing denied; Town of Ashwaubenon v. Public Service Commission (1964) 22 Wis. 2d 38, rehearing denied; State ex rel. Ball v. McPhee (1959) 6 Wis. 2d 190; General Electric Co. v. Wisconsin Employment Relations Board (1957) 3 Wis. 2d 227, 241.