

PORT WASHINGTON CITY HALL
EMPLOYEES LOCAL 108, DIS-
TRICT COUNCIL 40, AFSCME,
AFL-CIO,

Complainant,

vs.

CITY OF PORT WASHINGTON
PERSONNEL COMMITTEE,

Respondent.

CITY OF PORT WASHINGTON :
PERSONNEL COMMITTEE, :
 :
Respondent. :
 :

Port Washington City Hall Employees Local 108, District Council 40, AFSCME, AFL-CIO, herein Complainant, having on July 30, 1982, filed a complaint of prohibitive practices with the Wisconsin Employment Relations Commission, wherein it is alleged that City of Port Washington Personnel Committee, herein Respondent has committed certain prohibitive practices within the meaning of Section 111.70(3)(a)4 and 111.70(3)(a)1, Wis. Stats., and Respondent having on November 10, 1982 filed an answer to prohibitive practice complaint and Motion to Dismiss and the Commission having on November 8, 1982, appointed Andrew M. Roberts, a member of its staff, to act as Examiner; and the Examiner having considered the matter;

ORDERED

Dated at Madison, Wisconsin this 12th day of November, 1982.

By Andrew M. Roberts
Andrew M. Roberts, Examiner

MEMORANDUM ACCOMPANYING
ORDER DENYING MOTION TO DISMISS

The Examiner has denied Respondent's Motion to Dismiss on the grounds that it is premature, and because the complaint presents a contested case, 1/ requiring a full hearing on the pleadings, 2/ and that the Respondent may reassert the Motion at the hearing.

Dated at Madison, Wisconsin this 12th day of November, 1982.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Andrew M. Roberts
Andrew M. Roberts, Examiner

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- 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.