

STATE OF WISCONSIN
CIRCUIT COURT
WASHBURN COUNTY

LOCAL 2816, AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,

Petitioner,

v.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION,

Respondent.

Case No. 97 CV 108

[Decision No. 21674-C]

[NOTE: This document was re-keyed by WERC. Original pagination has been retained.]

ORDER AND JUDGMENT

The above-entitled proceeding having been commenced on August 25, 1997, to review a final order of the Wisconsin Employment Relations Commission (Commission) under the Municipal Employment Relations Act; and

The petitioner having appeared by Aaron N. Halstead, Shneidman Myers; the Commission having appeared by John D. Niemisto, Assistant Attorney General; and Washburn County having appeared by Kathryn J. Prenn; and

The court having reviewed the record and having issued its Memorandum Decision on March 4, 1998,

Now, Therefore, IT IS ORDERED that the Commission's Findings of Fact and Conclusions of Law are affirmed in all respects, and,

IT IS FURTHER ORDERED that this matter is remanded to the Commission for further consideration of the following issues: (1) Whether Gemini Employee Leasing, Inc. is a municipal employer as defined by sec. 111.70(1)(j) Wis. Stats.; and (2) Whether section 2.02 of the collective bargaining agreement is the exclusive remedy available to the union.

Dated at Shell Lake, Wisconsin this 25 day of August, 1998.

BY THE COURT:

Eugene D. Harrington /s/

Honorable Eugene D. Harrington

Circuit Court Judge