

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

GERHARDT STEINKE,	:	
	:	
Complainant,	:	
	:	
and GLENN PETRICK,	:	
	:	
Intervenor-Complainant,	:	
	:	
vs.	:	Case 315
	:	No. 43317 MP-2303
	:	Decision No. 26322-C
MILWAUKEE AREA VOCATIONAL, TECHNICAL	:	
AND ADULT EDUCATION DISTRICT, and	:	
LOCAL 212, AMERICAN FEDERATION OF	:	
TEACHERS,	:	
	:	
Respondents.	:	

GERHARDT STEINKE,	:	
	:	
Complainant,	:	
	:	
vs.	:	Case 320
	:	No. 43624 MP-2332
	:	Decision No. 26459-B
MILWAUKEE AREA VOCATIONAL, TECHNICAL	:	
AND ADULT EDUCATION DISTRICT, and	:	
LOCAL 212, AMERICAN FEDERATION OF	:	
TEACHERS,	:	
	:	
Respondents.	:	

GERHARDT STEINKE,	:	
	:	
Complainant,	:	
	:	
vs.	:	Case 324
	:	No. 43899 MP-2347
	:	Decision No. 26483-A
MILWAUKEE AREA VOCATIONAL, TECHNICAL	:	
AND ADULT EDUCATION DISTRICT;	:	
LOCAL 212, AMERICAN FEDERATION OF	:	
TEACHERS; MEL SCHMIDT; FRANKLIN	:	
SHANSKY and WILLIAM THOMAS,	:	
	:	
Respondents.	:	

ORDER DENYING MOTION TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN

Mr. Gerhardt Steinke, on December 12, 1989, February 27, 1990 and April 17, 1990, filed complaints of prohibited practices with the Wisconsin Employment Relations Commission against the Milwaukee Area Vocational, Technical and Adult Education District (hereafter Respondent District) and Local 212, American Federation of Teachers (hereafter Respondent Federation). On May 1, 1990 the Commission appointed Jane B. Buffett, a member of its staff to act as Examiner in Case 320. On May 3, 1990 the Respondent Federation filed a Motion with the Commission requesting the Commission to consolidate the aforementioned complaints, to order the complaint be made more definite and certain and to reschedule answer and hearing dates. On May 10, 1990 the Commission issued its order granting the Motion to consolidate and reschedule answer dates, and deferring to Examiner Buffett the ruling on the Motion to make more definite and certain. The Examiner, having considered the matter, makes and issues the following

ORDER

The Motion to order the complaint made more definite and certain is hereby denied.

Dated at Madison, Wisconsin this 14th day of May, 1990.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By _____
Jane B. Buffett, Examiner

MILWAUKEE AREA VOCATIONAL,
TECHNICAL AND ADULT
EDUCATION DISTRICT

MEMORANDUM ACCOMPANYING ORDER DENYING
MOTION TO MAKE MORE DEFINITE AND CERTAIN

ERB 12.03(3) Wis. Adm. Code provides:

MOTION TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN. If a complaint is alleged to be so indefinite as to hamper the respondent or any other party in the preparation of its answer to the complaint such party may, within 5 days after the service of the complaint, by motion request the commission to order the complainant to file a statement supplying specified information to make the complaint more definite and certain.

Respondents have previously filed answers in Case 315. Case 324 has not yet been set for hearing or answer. The complaint in Case 320 was filed with the Commission February 27, 1990. Copies were served on Respondents by certified mail on March 2, 1990. The Respondent Federation's Motion was filed with the Commission on May 3, 1990, well beyond the five day limit provided by the administrative rule. Accordingly, the Motion was untimely filed and is hereby denied.

Dated at Madison, Wisconsin this 14th day of May, 1990.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By _____
Jane B. Buffett, Examiner