

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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MILWAUKEE TEACHERS' EDUCATION :  
ASSOCIATION, :  
 :  
Complainant, : Case 230  
 : No. 44064 MP-2362  
vs. : Decision No. 26524-B  
 :  
MILWAUKEE BOARD OF SCHOOL :  
DIRECTORS, :  
 :  
Respondent. :  
 :  
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Appearances:

Perry, Lerner & Quindel, S.C., Attorneys at Law, by Mr. Richard Perry, at hearing and on brief, and Mr. Peter Guyon Earle, on brief, 823 North Cass Street, Milwaukee, WI 53202-3908, appearing on behalf of the Milwaukee Teachers' Education Association.

Ms. Mary M. Rukavina, Assistant City Attorney, City of Milwaukee, Office of the City Attorney, 800 City Hall, 200 East Wells Street, Milwaukee, WI 53202-3551, appearing at hearing and on brief on behalf of the Milwaukee Board of School Directors.

NOTICE OF COMMISSION'S FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER PURSUANT TO SECTION 111.07(5), STATS.

Examiner James W. Engmann having, on September 11, 1991, issued his Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, in the above-entitled proceeding, wherein the above-named Respondent was found to have committed, and was committing, prohibited practices within the meaning of Section 111.70(3)(a)5 of the Municipal Employment Relations Act, and wherein the Respondent was ordered to cease and desist therefrom and to take certain affirmative action with respect thereto; and no petition for review of said Findings of Fact, Conclusions of Law and Order, with Accompanying Memorandum, having been filed within the twenty day statutory period set forth in Section 111.07(5), Stats.; and no intervening order by the Examiner or the Commission having been issued within said statutory period;

NOW, THEREFORE, the Commission issues the following



parties under s. 227.48. If a rehearing is requested under s. 227.49, any party desiring judicial review shall serve and file a petition for review within 30 days after service of the order finally disposing of the application for rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. The 30-day period for serving and filing a petition under this paragraph commences on the day after personal service or mailing of the decision by the agency. If the petitioner is a resident, the proceedings shall be held in the circuit court for the county where the petitioner resides, except that if the petitioner is an agency, the proceedings shall be in the circuit court for the county where the respondent resides and except as provided in ss. 77.59(6)(b), 182.70(6) and 182.71(5)(g). The proceedings shall be in the circuit court for Dane county if the petitioner is a nonresident. If all parties stipulate and the court to which the parties desire to transfer the proceedings agrees, the proceedings may be held in the county designated by the parties. If 2 or more petitions for review of the same decision are filed in different counties, the circuit judge for the county in which a petition for review of the decision was first filed shall determine the venue for judicial review of the decision, and shall order transfer or consolidation where appropriate.

(b) The petition shall state the nature of the petitioner's interest, the facts showing that petitioner is a person aggrieved by the decision, and the grounds specified in s. 227.57 upon which petitioner contends that the decision should be reversed or modified.

. . .

(c) Copies of the petition shall be served, personally or by certified mail, or, when service is timely admitted in writing, by first class mail, not later than 30 days after the institution of the proceeding, upon all parties who appeared before the agency in the proceeding in which the order sought to be reviewed was made.

Note: For purposes of the above-noted statutory time-limits, the date of Commission service of this decision is the date it is placed in the mail (in this case the date appearing immediately above the signatures); the date of filing of a rehearing petition is the date of actual receipt by the Commission; and the service date of a judicial review petition is the date of actual receipt by the Court and placement in the mail to the Commission.