

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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 JOHN LESNIK and SERAFINO RUFFOLO, :  
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 Complainants, :  
 :  
 vs. : Case 2  
 : No. 45548 Ce-2116  
 EATON CORPORATION, KENOSHA, WISCONSIN : Decision No. 26890  
 and INTERNATIONAL ASSOCIATION OF :  
 MACHINISTS AND AEROSPACE WORKERS, :  
 AFL-CIO, LODGE 34, KENOSHA, WISCONSIN, :  
 :  
 Respondents. :  
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ORDER GRANTING MOTION TO MAKE COMPLAINT  
MORE DEFINITE AND CERTAIN

On March 29, 1991, John Lesnik and Serafino Ruffolo, hereinafter Complainants, filed a complaint of unfair labor practices against the Eaton Corporation, Kenosha, Wisconsin, and International Association of Machinists and Aerospace Workers, AFL-CIO, Lodge 34, Kenosha, Wisconsin. The Commission appointed Coleen A. Burns, Examiner, to make and issue Findings of Fact, Conclusions of Law and Order. The Respondent Eaton Corporation filed a timely motion to make the complaint more definite and certain. The Examiner, being fully advised in the premises, makes and issues the following

ORDER

1. That Complainants shall make the complaint more definite and certain by identifying the time of the occurrence of the particular acts giving rise to the alleged unfair labor practices.
2. That the amended complaint is to be filed with the Examiner and a copy of the same mailed to Mr. Lowell E. Clapp, Manager, Human Resources, Eaton Corporation, Electric Drives Division, 3122 Fourteenth Avenue, Kenosha, Wisconsin 53141-1412 and to Mr. William Holland, Business Representative, International Association of Machinists and Aerospace Workers, AFL-CIO, Lodge 34, 1000 - 56th Street, Kenosha, Wisconsin 53140 on or before June 7, 1991. Failure to amend the complaint may result in its dismissal.

Dated at Madison, Wisconsin this 20th day of May, 1991.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Coleen A. Burns /s/  
Coleen A. Burns, Examiner

No. 26890

EATON CORPORATION

MEMORANDUM ACCOMPANYING ORDER GRANTING MOTION  
TO MAKE COMPLAINT MORE DEFINITE AND CERTAIN

Wisconsin Administrative Code, Section ERB 2.02(1) provides that a complaint must contain, inter alia,

A clear and concise statement of the facts constituting the alleged unfair labor practice or practices, including the time and place of occurrence of particular acts and the names of persons involved.

The Examiner has reviewed the complaint herein as well as Respondent

Eaton Corporation's request to Make the Complaint More Definite and Certain. The Complaint is unclear as to the time of the occurrence of the particular acts giving rise to the alleged unfair labor practices. Therefore, the Motion to Make the Complaint More Definite and Certain has been granted.

Dated at Madison, Wisconsin this 20th day of May, 1991.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Coleen A. Burns /s/  
Coleen A. Burns, Examiner