

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

EUGENE A. HEM,	:	
	:	
Complainant,	:	
	:	
v.	:	Case 279
	:	No. 49157 MP-2725
	:	Decision No. 27698-A
MILWAUKEE BOARD OF SCHOOL DIRECTORS,	:	
and MILWAUKEE TEACHERS' EDUCATION	:	
ASSOCIATION	:	
Respondents.	:	
	:	

ORDER DISMISSING PETITION FOR REVIEW

On July 20, 1993, Complainant filed a Petition for Review with the Wisconsin Employment Relations Commission asking that the Commission review certain of Examiner Christopher Honeyman's decisions as to how the evidentiary hearing should proceed in the above matter.

The Commission has considered the matter and concluded that it will not exercise its discretionary authority to review the Examiner's decisions as to how the evidentiary hearing should proceed.

NOW, THEREFORE, it is

ORDERED

The Petition for Review is dismissed.

Given under our hands and seal at the City of  
Madison, Wisconsin this 18th day of August,

1994

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By A. Henry Hempe /s/  
A. Henry Hempe, Chairperson

Herman Torosian /s/  
Herman Torosian, Commissioner

William K. Strycker /s/  
William K. Strycker, Commissioner

MILWAUKEE PUBLIC SCHOOLS

MEMORANDUM ACCOMPANYING  
ORDER DISMISSING PETITION FOR REVIEW

Complainant's petition seeks Commission review Examiner decisions as to how the evidentiary hearing should proceed. The Examiner's decisions are not a "final" disposition of the parties' dispute as to which a non-discretionary right to Commission review exists. 1/ As we decline to exercise our discretionary power to entertain the Complainant's Petition for Review of the Examiner's decisions, 2/ we have dismissed the petition. If the case is ultimately decided in a final manner which the Complainant believes to be incorrect, the Complainant is free to file a petition for review at that time raising whatever issues he deems appropriate.

Dated at Madison, Wisconsin this 18th day of August, 1994

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By A. Henry Hempe /s/  
A. Henry Hempe, Chairperson

Herman Torosian /s/  
Herman Torosian, Commissioner

William K. Strycker /s/  
William K. Strycker, Commissioner

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1/ G & H Products, Inc., Dec. No. 17630-B (WERC, 1.82); Jefferson Board of Education, Dec. No. 13648-B (WERC, 1/76).

2/ State of Wisconsin, Dec. No. 11457-C, D (WERC, 3/73), aff'd State of Wisconsin v. WERC, 65 Wis.2d 624 (1974); Milwaukee County, Dec. No. 19545-D (WERC, 3/85), Wisconsin Dells School District, Dec. No. 25997-A (WERC, 6/89); City of Beloit, Dec. No. 25917 (WERC, 10/89).