

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of	:	
	:	
MILWAUKEE POLICE ASSOCIATION	:	
LOCAL #21, IUPA, AFL-CIO,	:	Case 403
	:	No. 49683 MIA-1824
For Final and Binding Arbitration	:	Decision No. 27905
Involving Law Enforcement	:	
Personnel in the Employ of	:	
	:	
CITY OF MILWAUKEE	:	
	:	

Appearances:

- Mr. Bradley DeBraska, President, Milwaukee Police Association, Local #21, IUPA, AFL-CIO, 1840 North Farwell Avenue, #400, Milwaukee, WI 53202, appearing on behalf of the Petitioner.
- Mr. Thomas C. Goeldner, Assistant City Attorney, City of Milwaukee, 800 City Hall, 200 East Wells Street, Milwaukee, WI 53202-3551, appearing on behalf of the City.

ORDER DENYING REQUEST FOR PANEL

On August 25, 1993, the Milwaukee Police Association (MPA) filed a petition with the Wisconsin Employment Relations Commission for final and binding arbitration pursuant to Sec. 111.70(4)(jm), Stats., in the above matter. In the cover letter accompanying the petition and by subsequent letter dated September 7, 1993, the MPA asked that the Commission provide the MPA and the City of Milwaukee (City) with a panel of arbitrators from which the parties could select an arbitrator in the event they were unable to voluntarily reach agreement on a new contract. MPA contended that early receipt of the panel would provide the parties with additional time to review the arbitrators' backgrounds and qualifications if selection of an arbitrator were necessary.

By letter dated September 16, 1993, the City advised the Commission that it objected to receipt of a panel prior to any impasse between the parties.

The Commission has considered the matter and concluded that it is not appropriate to grant the MPA's request for several reasons. First, the presence of a panel prior to impasse is inconsistent with, and detrimental to, the overriding purpose of the Municipal Employment Relations Act which is the voluntary resolution of collective bargaining disputes. Second, in the event of an impasse, the parties are entitled to a panel consisting of arbitrators who are presently able to serve them. If a panel were provided prior to impasse,

changes in the composition of the Commission's arbitrator roster and in the active or inactive status of roster members could deprive the parties of that entitlement and require issuance of a new panel.

NOW, THEREFORE, it is

ORDERED

The Milwaukee Police Association's request for a panel of arbitrators is denied.

Given under our hands and seal at the City of
Madison, Wisconsin this 22nd day of December,
1993.

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