

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

WISCONSIN PROFESSIONAL POLICE
ASSOCIATION/LAW ENFORCEMENT
EMPLOYEE RELATIONS DIVISION,

Complainant,

vs.

CITY OF ALGOMA,

Respondent.

Case 31

No. 51478 MP-2930

Decision No. 28217-B

Appearances:

Cullen, Weston, Pines & Bach, Attorneys at Law, 20 North Carroll Street, Madison, Wisconsin 53703, by Mr. Gordon E. McQuillen, appearing on behalf of Complainant.

Godfrey & Kahn, S.C., Attorneys at Law, 219 Washington Avenue, P. O. Box 1278, Oshkosh, Wisconsin 54902, by Mr. John E. Thiel, appearing on behalf of Respondent.

ORDER AMENDING FINDINGS OF FACT 1/

On March 8, 1996, the Examiner issued Findings of Fact, Conclusions of Law and Order. Finding of Fact 15 incorrectly omitted from the calculation of monies received by Sauer to be offset against monies owed her, the \$5,557.00 referred to in Finding of Fact 6, as the amount of Unemployment Compensation paid to Sauer. Therefore, Finding of Fact 15 is amended to read:

15. Thus, the Respondent owed Sauer a gross amount of \$20,301.04 pursuant to Arbitrator Honeyman's Award. That sum is arrived at through the following calculation that implements the

1/ See footnote on Page 3.

aforesaid findings:

Wages from 12/31/92 thru 9/24/93	\$ 21,792.60
Night Shift Premium from 12/31/92 thru 9/24/93	432.00
Overtime Premium from 12/31/92 thru 9/24/93	867.70
3 Weeks Vacation Pay (30 days)	3,632.10
12 Days Accrued Vacation	1,452.84
6 Holidays	726.42
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	\$ 28,903.66

Less:

Wackenhut Corporation Earnings 9/4/93 thru 9/24/93 (120 hours at \$11.07/hour)	1,328.40
Wackenhut Corporation Earnings (training)	1,920.00
Dairy Dan's Earnings	137.45
Unemployment Compensation Paid (12/92 - 6/93)	5,557.00
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	19,960.81

Plus:

Medical and Dental Expenses from 12/31/92 thru 9/24/93	340.23
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Gross Amount \$ 20,301.04

Dated at Madison, Wisconsin, this 20th day of March, 1996.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

No. 28217-B

By Thomas L. Yaeger /s/
Thomas L. Yaeger, Examiner

1/ Any party may file a petition for review with the Commission by following the procedures set forth in Sec. 111.07(5), Stats.

Section 111.07(5), Stats.

(5) The commission may authorize a commissioner or examiner to make findings and orders. Any party in interest who is dissatisfied with the findings or order of a commissioner or examiner may file a written petition with the commission as a body to review the findings or order. If no petition is filed within 20 days from the date that a copy of the findings or order of the commissioner or examiner was mailed to the last known address of the parties in interest, such findings or order shall be considered the findings or order of the commission as a body unless set aside, reversed or modified by such commissioner or examiner within such time. If the findings or order are set aside by the commissioner or examiner the status shall be the same as prior to the findings or order set aside. If the findings or order are reversed or modified by the commissioner or examiner the time for filing petition with the commission shall run from the time that notice of such reversal or modification is mailed to the last known address of the parties in interest. Within 45 days after the filing of such petition with the commission, the commission shall either affirm, reverse, set aside or modify such findings or order, in whole or in part, or direct the taking of additional testimony. Such action shall be based on a review of the evidence submitted. If the commission is satisfied that a party in interest has been prejudiced because of exceptional delay in the receipt of a copy of any findings or order it may extend the time another 20 days for filing a petition with the commission.

This decision was placed in the mail on the date of issuance (i.e. the date

appearing immediately above the Examiner's signature).