

June 7, 1996

Ms. Ruth H. Janssen
Clerk of Circuit Court
Outagamie County
Outagamie County Justice Center
320 South Walnut Street
Appleton, WI 54911

Re: Wisconsin Employment Relations Commission V. Dick Schumacher Tile Co., Inc. Case No.
96-CV-91

Dear Ms. Janssen:

Enclosed for filing is an original notice of entry of final order and judgment, and affidavit of mailing to be filed in the above action. The time for appeal will expire forty-five days after the date of entry of the final order. If no appeal is filed, please have the clerk's office return the complete record to Peter Davis at the address given below on or after July 15, 1996.

By copy of this letter, copies of the notice of entry of final order and judgment are being served by mail on the parties listed below.

Sincerely,

/s/ John D. Niemesto
John D. Niemisto
Assistant Attorney General
State Bar No. 1012658

c/enc: Dick Schumacher Tile Co., Inc.
Peter G. Davis, General Counsel
James P. Judziewicz, Business Representative

STATE OF WISCONSIN
CIRCUIT COURT
OUTAGAMIE COUNTY
BRANCH I

WISCONSIN EMPLOYMENT RELATIONS COMMISSION,
Petitioner,

vs.

DICK SCHUMACHER TILE CO., INC.,
Respondent.

Case No. 96 CV 91
Decision No. 28261-C

NOTICE OF ENTRY OF ORDER AND JUDGMENT

To: Dick Schumacher Tile Co., Inc.
N1775 County Road N
Appleton, WI 54915

PLEASE TAKE NOTICE THAT an order and judgment, of which a true and correct copy is attached hereto, was signed by the Court on May 28, 1996, and duly entered in the Circuit Court for Outagamie County, Wisconsin, on May 28, 1996.

Dated this 7th day of June, 1996.

JAMES E. DOYLE
Attorney General

/s/ John D. Niemesto

John D. Niemisto
Assistant Attorney General
State Bar No. 1012658
Attorneys for the Wisconsin Employment Relations Commission
Wisconsin Department of Justice
Post Office Box 7857
Madison, Wisconsin 53707-7857
(608) 266-0278

STATE OF WISCONSIN
CIRCUIT COURT
OUTAGAMIE COUNTY

WISCONSIN EMPLOYMENT RELATIONS COMMISSION
Petitioner,

vs.

DICK SCHUMACHER TILE CO., INC.,
Respondent.

Case No. 96 CV 91
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ORDER AND JUDGMENT.

The above-entitled matter having come on for hearing before the Court on May 22, 1996 at 9:30 a.m. in Circuit Court of the Outagamie County Justice Center upon the petition of the Wisconsin Employment Relations Commission for enforcement of its findings of fact, conclusions of law and order issued June 2, 1995 (Decision No. 26261-B) which adopted and affirmed the examiner's findings of fact, conclusions of law and order with accompanying memorandum dated April 19, 1995 (Decision No. 28261-A); petitioner, Wisconsin Employment Relations Commission, appearing by James E. Doyle, Attorney General, and John D. Niemisto, Assistant Attorney General; respondent, Dick Schumacher Tile Co, Inc., appearing by Dick Schumacher; and the Court having considered the matter upon the record and oral argument now, on motion,

IT IS ORDERED AND ADJUDGED that the findings of fact, conclusions of law and order of the Wisconsin Employment Relations Commission, entered on June 2, 1995, which adopted the examiner's findings of fact, conclusions of law and order dated April 19, 1995, in the above-entitled matter are hereby confirmed, the Court reserving jurisdiction to make such further order or judgment in the premises as may be necessary to give full force and effect to the said order of the Commission and the enforcement thereof.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the respondent, Dick Schumacher Tile Co. Inc., by Dick Schumacher, shall, no later than June 21, 1996, comply with the affirmative action terms and conditions of the Commission's order; and more specifically, that respondent, Dick Schumacher Tile Co. Inc., take the following affirmative action ordered by the Commission which the Court finds will effectuate the purposes and policies of the Wisconsin Employment Peace Act:

- (a) Timely supply the Union with the following information for the period of time between June 1, 1992 through December 31, 1993, which the Examiner finds is reasonably necessary for the Union to have in order to carry out its obligations as the exclusive collective bargaining agent for the Company's tile finishers:
 1. Complete payroll records, including tax forms 941, W-2, W-3 and

1099, and Wisconsin Unemployment Compensation Quarterly Contribution/Wage Report Form UC-101A.

2. Time cards for all employes.
3. All contracts the Company entered into with others to perform hard tile, marble or terrazzo work; and any subcontracting work to other parties.
4. Complete list of jobs done by the Company, including the address for each job.
5. Billing and receipt records for all contracted work.

(b) If any information is not available, the Company shall specifically state the information is not available and shall specifically state why the information is not available.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the respondent shall notify the Wisconsin Employment Relations Commission and this Court in writing, no later than June 21, 1996, as to what steps have been taken to comply herewith.

Dated this 28th day of May, 1996.

BY THE COURT:

/s/ James T. Bayorgeon

James. T. Bayorgeon

Circuit Judge