

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

GERHARDT STEINKE,

Complainant,

vs.

AFT LOCAL 212 and MILWAUKEE AREA
TECHNICAL COLLEGE BOARD, ET AL.,

Respondents.

Case 459

No. 53647 MP-3118

Decision No. 28664-B

Appearances:

Mr. Gerhardt Steinke, 4662 West Bernhard Place, Milwaukee, Wisconsin 53216, appearing pro se.

Michael, Best & Friedrich, Attorneys at Law, by Mr. John A. Busch, 100 East Wisconsin Avenue, Milwaukee, Wisconsin 53202-4108, appearing on behalf of certain named Respondents.

Shneidman, Myers, Dowling & Blumenfield, Attorneys at Law, by Mr. Timothy E. Hawks, P. O. Box 442, Milwaukee, Wisconsin 53201-0442, appearing on behalf of certain named Respondents.

ORDER MODIFYING MEMORANDUM ACCOMPANYING ORDER GRANTING
RESPONDENTS' MOTIONS TO DISMISS THE COMPLAINT AND DENYING
COMPLAINANT'S MOTION TO AMEND THE COMPLAINT

On May 16, 1996, the Examiner issued an Order Granting Respondents' Motions to Dismiss the Complaint and Denying Complainant's Motion to Amend the Complaint. Upon review of the memorandum accompanying the Order, the Examiner has determined that a mistake has been made in the last paragraph of the memorandum.

NOW, THEREFORE, it is

ORDERED 1/

1/ See footnote on Page 2.

That the second sentence of the last paragraph of the Memorandum Accompanying Order Granting Respondents' Motions to Dismiss the Complaint and Denying Complainant's Motion to Amend the Complaint, which states: "To grant this request, the Examiner must find that each of the Union's allegations is frivolous and not debatable. 12/," is modified to state: "To grant this request, the Examiner must find that each of the Complainant's allegations is frivolous and not debatable. 12/"

Dated at Madison, Wisconsin, this 22nd day of May, 1996.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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