

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Motion of

RACINE EDUCATION ASSOCIATION

Requesting a Review of Implementation Pursuant to
ERC 333.10(6) In A Dispute Between the Association and

RACINE UNIFIED SCHOOL DISTRICT

Case 138
No. 53037
INT/ARB-7722

Decision No. 29310-A

Appearances:

Kelly & Kobelt, by **Attorney Robert C. Kelly**, 122 East Olin Avenue, Suite 195, Madison, Wisconsin 53713, appearing on behalf of Racine Education Association.

Melli, Walker, Pease & Ruhly, S.C., by **Attorney Douglas E. Witte**, 119 Martin Luther King Jr., Blvd., Suite 600, P.O. Box 1664, Madison, Wisconsin 53701-1665, appearing on behalf of Racine Unified School District.

ORDER

On February 16, 1998, the Wisconsin Employment Relations Commission issued Findings of Fact, Conclusions of Law and Order wherein it was concluded that the Racine Unified School District had made and appropriately implemented a qualified economic offer for the 1993-1995 contract period. The Commission further concluded that the District was obligated to make certain corrections in Forms A and B by: (1) having the Forms attested to by the District's treasurer and superintendent or business manager; (2) incorporating summer school costs for the period August 25, 1992 – August 24, 1993; (3) using actual premium equivalents instead of COBRA premium equivalents; and (4) prorating salary and fringe benefit costs for the period August 25, 1994 – June 30, 1995. The Commission ordered the District to provide the Racine Education Association with corrected Forms A and B.

Subsequent to the issuance of the February 16, 1998 decision, the District and the Racine Education Association reached agreement on the terms of a 1993-1995 contract.

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On March 18, 1998, the Commission received a copy of the amended Forms A and B which the District had provided to the Association pursuant to the Commission's Order and which the District asserts comply with the Commission's Order.

On March 18, 1998, the Commission received the following request from the Association:

We move pursuant to Section 111.70(4)(cm)5s of the Wisconsin Statutes for the appointment of an investigator to determine whether the Racine Unified School District, by amending its Forms A and B, has submitted a qualified economic offer for the 1993-1995 contract period.

The parties thereafter filed correspondence with the Commission, the last of which was received June 17, 1998.

Having considered the matter, we deny the Association's March 18, 1998 request. In our February 17, 1998 decision, we concluded that the District had made a qualified economic offer for the 1993-1995 contract period. Thus, that issue has been decided. We further held that Forms A and B are not part of a qualified economic offer. Thus, correction of Forms A and B does not relate to the existence of a qualified economic offer.

Given under our hands and seal at the City of Madison, Wisconsin this 23rd day of July, 1998.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Meier /s/
James R. Meier, Chairperson

A. Henry Hempe /s/
A. Henry Hempe, Commissioner

Paul A. Hahn /s/
Paul A. Hahn, Commissioner