

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

UNIVERSITY OF WISCONSIN HOSPITAL AND CLINICS BOARD

Requesting a Declaratory Ruling Pursuant to Section 227.41, Wis. Stats.,
Involving a Dispute Between Said Petitioner and

**AFSCME, COUNCIL 24, WISCONSIN STATE EMPLOYEES UNION,
AFL-CIO, LOCAL 1942, CERTAIN EMPLOYEES BELONGING
THERETO, AND THEIR INDIVIDUAL REPRESENTATIVES**

Case 7
No. 57941
DR(S)-5

Decision No. 29784-A

Appearances:

vonBriesen, Purtell & Roper, by **Attorney Doris E. Brosnan**, 411 Building Office, Suite 700, 411 East Wisconsin Avenue, P.O. Box 3262, Milwaukee, Wisconsin 53201-3262, appearing on behalf of University of Wisconsin Hospital and Clinics Board.

Boushea, Segall, Joanis & Johnston, by **Attorney Helen Marks Dicks**, 124 West Broadway, Suite 100, Monona, Wisconsin 53716-3902, appearing on behalf of Pamela Blankenheim.

Lawton & Cates, S.C., by **Attorney P. Scott Hassett**, Ten East Doty Street, Suite 400, P.O. Box 2965, Madison, Wisconsin 53701-2965, appearing on behalf of AFSCME Council 24, Wisconsin State Employees Union, AFL-CIO.

ORDER DENYING MOTION TO STAY

On May 1, 2000, during hearing in the above matter, Pamela Blankenheim made a motion asking that the Commission order University of Wisconsin Hospital and Clinics Board and AFSCME Council 24, Wisconsin State Employees Union not to proceed with a grievance arbitration hearing regarding Blankenheim's discharge until the Commission issues a decision on the issues raised by the declaratory ruling.

No. 29784-A

University of Wisconsin Hospital and Clinics Board and AFSCME Council 24 opposed the motion. All parties filed written argument, the last of which was received June 6, 2000.

We have considered the motion and conclude that Sec. 227.41, Stats., does not give us authority to order the stay sought by Blankenheim.

NOW, THEREFORE, it is

ORDERED

The motion to stay is denied.

Given under our hands and seal at the City of Madison, Wisconsin this 12th day of June, 2000.

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