

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

**COUNCIL #10, ON BEHALF OF
FRANKLIN EDUCATION ASSOCIATION, Complainant,**

vs.

FRANKLIN SCHOOL DISTRICT, Respondent.

Case 78
No. 61583
MP-3859

Decision No. 30482

**COUNCIL #10, ON BEHALF OF
FRANKLIN EDUCATION ASSOCIATION, Complainant,**

vs.

FRANKLIN SCHOOL DISTRICT, Respondent.

Case 79
No. 61666
MP-3864

Decision No. 30483

Appearances:

Davis & Kuelthau, S.C., by **Attorney Mark L. Olson**, Suite 1400, 111 East Kilbourn Avenue, Milwaukee, Wisconsin 53202-6613, appearing on behalf of Franklin School District.

Mr. Troy M. Hamblin, Executive Director, Council #10, 13805 West Burleigh Road, Brookfield, Wisconsin, 53005, appearing on behalf of Franklin Education Association.

ORDER DENYING MOTION TO CONSOLIDATE

Council #10/Franklin Education Association having filed a complaint (Case 78) on September 12, 2002 alleging that the Franklin School District had committed prohibited practices within the meaning of the Municipal Employment Relations Commission by unilaterally increasing summer school pay; and Council #10 having asked that this complaint be scheduled for hearing

Dec. No. 30482
Dec. No. 30483

as soon as possible; and Council #10/Franklin Education Association having subsequently filed a complaint and amended complaint (Case 79) on October 7 and October 9, 2002 alleging that the Franklin School District had committed prohibited practices within the meaning of the Municipal Employment Relations Act by coercing employees who were engaging in union activity; and Council #10 having asked that the complaints be assigned to the same examiner and consolidated for hearing; and the District having opposed Council #10's request; and the Commission having considered the matter;

To maximize the ability of the parties we serve to utilize the Internet and computer software to research decisions and arbitration awards issued by the Commission and its staff, footnote text is found in the body of this decision.

NOW, THEREFORE, it is

ORDERED

1. The motion to consolidate is denied because it may cause unnecessary delay in the hearing of the September 12, 2002 complaint contrary to ERC 10.07. 1/
2. The complaint and amended complaint filed on October 7, 2002 and October 9, 2002 respectively will be assigned to an examiner as the Commission deems appropriate without regard to expressed preferences of the parties.

1/ ERC 10.07 Transfer, consolidation and severance of proceedings. Whenever the commission deems it necessary, in order to effectuate the purposes of s. 111.70, Stats., or to avoid unnecessary costs or delay, it may remove or transfer any proceeding before a single commission member or examiner. Proceedings under several subsections of s. 111.70, Stats., may be combined or served.

Given under our hands and seal at the City of Madison, Wisconsin, this 22nd day of October, 2002.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Steven R. Sorenson /s/

Steven R. Sorenson, Chairperson

A. Henry Hempe /s/

A. Henry Hempe, Commissioner

Paul A. Hahn /s/

Paul A. Hahn, Commissioner

