

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

NORTHCENTRAL TECHNICAL COLLEGE FACULTY ASSOCIATION, Complainant,

vs.

NORTHCENTRAL TECHNICAL COLLEGE, Respondent.

Case 73
No. 63670
MP-4060

Decision No. 31117-D

Appearances:

Melissa A. Cherney, Legal Counsel, Wisconsin Education Association Council, 33 Nob Hill Drive, P.O. Box 8003, Madison, Wisconsin 53708-8003, appearing on behalf of Northcentral Technical College Faculty Association.

Cari L. Westerhof, Ruder Ware, Attorneys at Law, 500 Third Street, Suite 700, P.O. Box 8050, Wausau, Wisconsin 54402, appearing on behalf of Northcentral Technical College.

ORDER SETTING ASIDE DECISIONS AND DISMISSING COMPLAINTS

On February 3, 2006, the Wisconsin Employment Relations Commission issued an Order on Review of Examiner's Decision (Decision No. 31117-C) which modified and affirmed the Findings of Fact, Conclusions of Law and Order (Decision No. 31117-B) issued on October 3, 2005 by Commission Examiner Lauri Millot wherein she concluded among other matters that Respondent Northcentral Technical College had committed prohibited practices within the meaning of the Municipal Employment Relations Act by refusing to arbitrate several grievances and by engaging in individual bargaining. The Examiner therein also dismissed a counter-complaint filed by Respondent College alleging that the Northcentral Technical College Faculty Association had engaged in bad faith bargaining.

Respondent College subsequently filed a petition seeking judicial review of the Commission's Order. Respondent College, Complainant Northcentral Technical College Faculty Association and the Commission subsequently reached a settlement agreement pursuant to which the decision of the Examiner and the Commission would be vacated and the

No. 31117-D

prohibited practice complaints filed by the Association and the College would be dismissed. On March 21, 2007, Marathon County Circuit Court Judge Greg Huber issued an Order which specified that Decisions 31117-B and 31117-C were vacated and directed the Commission to dismiss the underlying prohibited practice complaints filed by the Association and the College.

NOW, THEREFORE, it is

ORDERED

1. Decisions 31117-B and 31117-C are set aside.

2. The prohibited practice complaints filed by the Northcentral Technical College Faculty Association and the Northcentral Technical College are dismissed.

Given under our hands and seal at the City of Madison, Wisconsin, this 25th day of July, 2007.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Judith Neumann /s/

Judith Neumann, Chair

Paul Gordon /s/

Paul Gordon, Commissioner

Susan J. M. Bauman /s/

Susan J. M. Bauman, Commissioner

