

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

**CITY OF HORICON PUBLIC WORKS, LOCAL 1323-H, AFSCME, AFL-CIO,
WISCONSIN COUNCIL 40, Complainant,**

vs.

CITY OF HORICON, Respondent.

Case 33
No. 64729
MP-4150

Decision No. 31389-B

Appearances:

Bruce F. Ehlke, Hawks, Quindel, Ehlke & Perry, S.C., 222 West Washington Avenue, Suite 705, P.O. Box 2155, Madison, Wisconsin 53701-2155, appearing on behalf of City of Horicon Public Works, Local 1323-H, AFSCME, AFL-CIO, Wisconsin Council 40.

Alan Levy, Lindner & Marsack, 411 East Wisconsin Avenue, Suite 1800, Milwaukee, Wisconsin 53202, appearing on behalf of the City of Horicon.

**NOTICE OF COMMISSION'S FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER PURSUANT TO SECTION 111.07(5), STATS.**

On April 10, 2006, Examiner Stanley H. Michelstetter II issued Findings of Fact, Conclusions of Law and Order with Accompanying Memorandum in the above-entitled matter determining that Respondent had committed prohibited practices within the meaning of Sec. 111.70(3)(a)5 and 1, Stats. He ordered Respondent to take certain remedial action.¹

The Examiner further concluded that Respondent had not committed a separate alleged prohibited practice within the meaning of Sec. 111.70(3)(a)5, Stats.

¹ By letter dated April 27, 2006, Respondent advised the Examiner and Complainant of the action it was taking to comply with the decision.

Within the 20-day statutory period set forth in Sec. 111.07(5), Stats., no petition for review of said Findings of Fact, Conclusions of Law and Order was filed and no intervening order by the Examiner or the Commission was issued.

NOW, THEREFORE, the Commission issues the following

NOTICE

By operation of Sec. 111.07(5), Stats., Examiner Michelstetter's Findings of Fact, Conclusions of Law and Order in the above-entitled matter became the Commission's Findings of Fact, Conclusions of Law and Order on May 2, 2006.

Given under our hands and seal at the City of Madison, Wisconsin, this 4th day of May, 2006.

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