

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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**CHRISTINE BURGER**, Complainant,

vs.

**WHITEFISH BAY EDUCATION ASSOCIATION AND  
WHITEFISH BAY SCHOOL DISTRICT**, Respondents.

Case 41  
No. 66591  
MP-4318

**Decision No. 32299-B**

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**Appearances:**

**Patricia A. Lauten**, Jeffrey S. Hynes & Associates, S.C., 2300 North Mayfair Road, Suite 390, Wauwatosa, Wisconsin 53226, appearing on behalf of Complainant.

**Mark F. Vetter**, Davis & Kuelthau, S.C., 300 North Corporate Drive, Suite 150, Brookfield, Wisconsin 53045, appearing on behalf of Respondent District.

**Rebecca Ferber Osborn** and **Aimee Klemes**, Wisconsin Education Association Council, 13805 West Burleigh Road, Brookfield, Wisconsin 53005-3058, appearing on behalf of Respondent Association.

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

On November 6, 2008, Examiner Coleen A. Burns issued Findings of Fact, Conclusions of Law and Order with Accompanying Memorandum in the above-entitled matter determining that Respondent Association had not committed a prohibited practice within the meaning of Sec. 111.70(3)(b)1, Stats., and therefore that she would not assert jurisdiction over the allegation that Respondents' had committed a prohibited practice within the meaning of Secs. 111.70(3)(a)5 and (3)(b)4, Stats. The Examiner dismissed the complaint.

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.

Dec. No. 32299-B

NOW, THEREFORE, the Commission issues the following

**NOTICE**

By operation of Sec. 111.07(5), Stats., Examiner Burns' 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 November 28, 2008.

Given under our hands and seal at the City of Madison, Wisconsin, this 10<sup>th</sup> day of December, 2008.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Judith Neumann /s/  
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Judith Neumann, Chair

Paul Gordon /s/  
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Paul Gordon, Commissioner

Susan J. M. Bauman /s/  
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Susan J. M. Bauman, Commissioner