

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

In the Matter of the Petition of

WISCONSIN CENTER DISTRICT

Requesting a Declaratory Ruling Pursuant to § 227.41(2), Stats.,
Involving a Dispute Between Said Petitioner and

INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES, LOCAL 18

Case ID: 479.0000

Case Type: DR_M

DECISION NO. 36162

Appearances:

Joseph L. Olson, Michael Best & Friedrich, 100 East Wisconsin Avenue, Suite 3300, Milwaukee, Wisconsin, appearing on behalf of the Wisconsin Center District.

Mark A. Sweet, Sweet and Associates, 2510 East Capitol Drive, Milwaukee, Wisconsin, appearing on behalf of the International Alliance of Theatrical Stage Employees, Local 18.

DECLARATORY RULING

On December 8, 2015, the Wisconsin Center District filed a petition and accompanying affidavit with the Wisconsin Employment Relations Commission pursuant to § 227.41(2), Stats., requesting that the Commission issue a declaratory ruling that the District is a municipal employer within the meaning of § 111.70(1)(j), Stats. The District therein asserted that the International Alliance of Theatrical Stage Employees, Local 18, has disputed the District's status as a municipal employer by virtue of the content of the bargaining proposals submitted to the District.

On December 21, 2015, Local 18 advised the Commission that it would not be participating in this proceeding.

From our review of the affidavit and the language of § 111.70(1)(j), Stats., it is apparent that for many years the District has been correctly understood by the Commission to be a municipal employer given its status as “an instrumentality of one or more political subdivisions of the state.”¹ Nothing has been presented to us that would undermine that prior understanding.

NOW, THEREFORE, being fully advised in the premises, the Commission makes and issues the following:

DECLARATORY RULING

The Wisconsin Center District is a municipal employer within the meaning of § 111.70(1)(j), Stats.

Signed at the City of Madison, Wisconsin, this 5th day of February 2016.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner

James J. Daley, Commissioner

¹ Section 111.70(1)(j), Stats., defines a “municipal employer,” in pertinent part, as:

... any city, county, village, town, metropolitan sewerage district, school district, long-term care district, local cultural arts district created under subch. V of ch. 229, or any other political subdivision of the state, or instrumentality of one or more political subdivisions of the state, that engages the services of an employee ...