

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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In the Matter of the Petition for Final and Binding Arbitration by

AMALGAMATED TRANSIT UNION, LOCAL 998  
Petitioner

Involving Transit Employees of the:

CITY OF SHEBOYGAN  
Respondent

Case ID: 266.0016  
Case Type: INT\_ARB

DECISION NO. 39953

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**Appearances:**

Jill M. Hartley, Attorney, The Previant Law Firm, S.C., 310 W. Wisconsin Ave., Suite 100, Milwaukee, Wisconsin, appearing on behalf of Amalgamated Transit Union, Local 998.

Adam Westbrook, Director of Human Resources & Labor Relations, City of Sheboygan, 828 Center Ave., Suite 100, Sheboygan, Wisconsin, appearing on behalf of the City of Sheboygan.

**FINDINGS OF FACT, CONCLUSIONS OF LAW, CERTIFICATION OF RESULTS  
OF INVESTIGATION, AND ORDER REQUIRING ARBITRATION**

Petitioner having on May 31, 2023, filed a petition with the Wisconsin Employment Relations Commission wherein they alleged that an impasse existed between City of Sheboygan and the Amalgamated Transit Union, Local 998 in their collective bargaining, and wherein they further requested the Commission to initiate arbitration pursuant to § 111.70 (4)(cm)6. of the Municipal Employment Relations Act; and Anfin Jaw, a member of the Commission's staff, having conducted an investigation in the matter and having submitted the report of the results thereof to the Commission; and the Commission being fully advised in the premises makes and files the following Findings of Fact, Conclusions of Law, Certification of Results of Investigation, and Order Requiring Arbitration.

**FINDINGS OF FACT**

1. The City of Sheboygan, hereinafter referred to as the Employer, is a municipal employer maintaining its offices at 828 Center Ave., Suite 100, Sheboygan, Wisconsin.

2. Amalgamated Transit Union, Local 998, hereinafter referred to as the Union, is a labor organization maintaining its offices at 734 North 26th Street, Milwaukee, Wisconsin.

3. At all times material herein the Union has been, and is, the exclusive collective bargaining representative of certain employees of the Employer.

4. The parties exchanged their initial proposals and bargained on matters to be included in a collective bargaining agreement; on May 31, 2023, the instant petition was filed requesting that the Commission initiate arbitration pursuant to § 111.70(4)(cm)6 of the Municipal Employment Relations Act; on May 8, 2023 through August 21, 2023, a Commissioner conducted an investigation which reflected that the parties were deadlocked in their negotiations, and, by August 21, 2023, the parties submitted to said Investigator their final offers and written positions regarding authorization of inclusion of nonresidents of Wisconsin on the arbitration panel to be submitted by the Commission, and thereupon the Investigator notified the parties that the investigation was closed; and said Investigator has advised the Commission that the parties remain at impasse.

5. The parties have not established mutually agreed upon procedures for the final resolution of disputes arising in collective bargaining.

Upon the basis of the above and foregoing Findings of Fact, the Commission makes the following:

### **CONCLUSIONS OF LAW**

1. The parties have substantially complied with the procedures set forth in § 111.70(4)(cm) of the Municipal Employment Relations Act required prior to the initiation of arbitration.

2. An impasse within the meaning of § 111.70(4)(cm)6 of the Municipal Employment Relations Act exists between the parties with respect to negotiations leading toward a new collective bargaining agreement.

Upon the basis of the above and foregoing Findings of Fact and Conclusions of Law, the Commission makes the following:

### **CERTIFICATION**

IT IS HEREBY CERTIFIED that the conditions precedent to the initiation of arbitration

as required by § 111.70(4)(cm)6. of the Municipal Employment Relations Act have been met with respect to negotiations between the parties over wages, hours, and conditions of employment for a collective bargaining agreement.

NOW, THEREFORE, it is:

**ORDERED**

1. That arbitration be, and the same hereby is, initiated for the purpose of issuing a final and binding award to resolve the impasse existing between the parties.

2. That the parties select an arbitrator within ten (10) days after the issuance of this order from the panel of arbitrators submitted to the parties in the accompanying letter of transmittal, by alternately striking six (6) of the members from said panel for the selection of the neutral arbitrator; and thereupon the parties, or either of them, shall notify the Commission in writing of the name of the neutral arbitrator, and the Commission shall then issue an order appointing said neutral arbitrator.

Issued at the City of Madison, Wisconsin, this 6<sup>th</sup> day of September 2023.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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James J. Daley, Chairman