

State of Wisconsin
Wisconsin Employment Relations Commission

October 20, 1993

Mr. Keven D. Lee
Representative
Laborers' International Union
of North America, Local 140
1920 Ward Avenue, Suite 10
LaCrosse, WI 54601

Mr. Aaron Gesicki
Representative
Sparta Manufacturing Company
P. O. Box 251
Sparta, WI 54656

Re: Sparta Manufacturing
Case 24 No. 49487 A-5090

Gentlepersons:

This letter is to confirm the "bench" decision rendered by the undersigned in the above-entitled matter on October 19, 1993 in the Company's Conference Room, Sparta, Wisconsin.

On July 21, 1993, the Wisconsin Employment Relations Commission designated Dennis P. McGilligan as the impartial arbitrator to resolve the above dispute.

Hearing in the matter was held on October 19, 1993 as noted above. At the hearing the parties requested, and the undersigned agreed to provide, a "bench" award, which is herein confirmed. The parties agreed to waive written analysis and rationale for the Arbitrator's "bench" decision. The parties stipulated that there are no procedural issues, and that the instant dispute is properly before the Arbitrator for a decision on the merits. The parties also stipulated to the following issue:

Did the Company violate the contract by not calling the second shift into work on March 1, 1993?

Based on the record evidence and the parties' arguments, the undersigned issued a "bench" decision and found that the answer to the issue as stipulated **by** the parties was NO, the Company did not violate the contract by not calling the second shift into work on March 1, 1993. The undersigned therefore denied the grievance and dismissed the matter.

By terms of this letter I am confirming same and closing the file on the above case.

Very truly yours,

DPMpb
B102093.08

Dennis P. McGilligan
Arbitrator