

BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD
OF THE STATE OF KANSAS

Topeka Shawnee County Lodge)
No. 3, Fraternal Order of)
Police,)
Petitioner,)
vs.)
Board of County Commissioners)
of Shawnee County, Kansas,)
Respondent.)

CASE NO: 75-CAE-2-1996

ORDER

NOW, on the 26th day of October, 1995, the above-captioned case came on for consideration of a Petition for Review of Initial Order before the Public Employee Relations Board of the State of Kansas ("Board").

Four members of the Board were present, specifically, Mr. Jeff Wagaman, Mr. Errol Williams, Mr. Floyd Taylor and Mr. Greg Windholz.

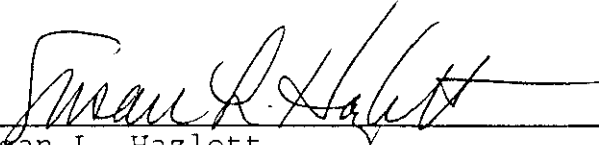
The Petitioner, Topeka Shawnee County Lodge No. 3, Fraternal Order of Police, appeared by counsel Eric Steinle, and presented statements to the Board regarding alleged errors in the Initial Order and specific points of law. The Respondent, Board of County Commissioners of Shawnee County, Kansas, did not appear.

WHEREFORE, it is found by the Board that a procedural error occurred in the *ex parte* Initial Order dismissing the case, without a hearing as required by the Kansas Administrative Procedures Act, and a remand to the Presiding Officer, George M. Wolf, to hold a

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formal hearing for full consideration on the matter of standing is appropriate.

IT IS SO ORDERED this 31st day of October, 1995.



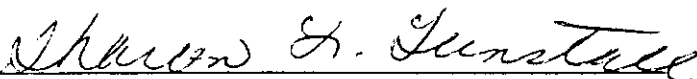
Susan L. Hazlett
Acting Executive Director
Public Employee Relations Board
1430 SW Topeka Blvd., 3rd Flr.
Topeka, KS 66612-1853

CERTIFICATE OF MAILING

I, Sharon L. Tunstall, Clerk of the Public Employee Relations Board, hereby certify that on the 31st day of October, 1995, a true and correct copy of the above and foregoing Order was deposited in the U. S. Mail, first class, postage prepaid, addressed to:

S. Eric Steinle, Attorney for
Topeka Shawnee County Lodge No. 3,
Fraternal Order of Police
c/o FRIEDEN, HAYNES & FORBES
400 SW 8th Street
P. O. Box 639
Topeka, KS 66601

Sandra L. Jacquot
Shawnee County Counselor
Office of County Counselor
Shawnee County Courthouse
200 SW 7th St., Ste. 100
Topeka, KS 66603-3932



Sharon L. Tunstall