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Green Bay Prof. Police Ass'n v. City of Green Bay

Court of Appeals of Wisconsin - October 15, 2013 - Slip Copy - 2013 WL 5612523

Brown County and the City of Green Bay (collectively, the Municipalities) appealed an order granting a writ of mandamus to the Green Bay Professional Police Association, Ryan Meader, and the Brown County Sheriff's Department Non-Supervisory Labor Association (collectively, the Associations).

The writ directed the Municipalities to comply with the health insurance provisions of their expired collective bargaining agreements with the Associations until new agreements were reached.

The appeals court concluded that the circuit court erroneously exercised its discretion by granting the writ because the Associations failed to establish the elements necessary to obtain mandamus relief. The circuit court failed to apply the proper legal standard to the Associations' motion for mandamus relief. The court did not address any of the four elements a petitioner must prove to obtain a writ of mandamus. The court's decision to grant the Associations a writ of mandamus therefore constitutes an erroneous exercise of discretion. The appeals court reversed.