

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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**DANIEL BERNACKI**, Complainant

and

**CITY OF WAUKESHA and AFSCME COUNCIL 40, LOCAL 97**, Respondents

Case 87  
No. 54376  
MP-2457

**Decision No. 26870-C**

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**APPEARANCES**

**Mr. Daniel Bernacki**, 2008 Kathy Court, Waukesha, Wisconsin, 53188, on his own behalf.

**Ms. Kathleen E. Hume**, Attorney at Law, 5665 South 108th Street, Hales Corners, Wisconsin, 53130, on behalf of Complainant.

Michael Best & Friedrich, Attorneys at Law, by **Mr. Robert W. Mulcahy**, 100 East Wisconsin Avenue, Milwaukee, Wisconsin, 53202-4108, on behalf of Respondent City of Waukesha.

Shneidman, Myers, Dowling, Blumenfield, Ehlke, Hawks & Domer, Attorneys at Law, by **Mr. Bruce F. Ehlke**, 217 South Hamilton Street, PO Box 2155, Madison, Wisconsin, 53701, on behalf of Respondent AFSCME Council 40, Local 97.

**NOTICE OF COMMISSION'S ORDER**  
**PURSUANT TO SECTION 111.07(5), STATS.**

On June 23, 1997, Examiner Stuart Levitan issued an Order in the above-entitled matter determining that the complaint should be dismissed.

Within the statutory period set forth in Sec. 111.07(5), Stats., no petition for review of said Order was filed and no intervening order by the Examiner or the Commission was issued.

NOW, THEREFORE, the Commission issues the following:

**NOTICE**

By operation of Sec. 111.07(5), Stats., Examiner Levitan's Order in the above-entitled matter became the Commission's Order on July 14, 1997.

Given under our hands and seal at the City of Madison, Wisconsin, this 15th day of October 1997.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Meier /s/  
James R. Meier, Chairperson

A. Henry Hempe /s/  
Henry Hempe, Commissioner

Paul A. Hahn /s/  
Paul A. Hahn, Commissioner

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