

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DAVID MARFILIUS,

Complainant,

vs.

STATE OF WISCONSIN, DEPARTMENT OF  
EMPLOYMENT RELATIONS; UNIVERSITY OF  
WISCONSIN SYSTEM; UNIVERSITY OF  
WISCONSIN-MADISON; CHANCELLOR DAVID  
WARD; JAMES STRATTON; UW  
HOSPITAL & CLINICS SUPERINTENDENT  
GORDON DERZON; UWHC PUBLIC AUTHORITY  
GOVERNING BOARD; GREG  
KRAMP; RENAE BUGGAE; NEAL SPRANGER;  
DON KLIMPEL; BOB SCHEUER; FRANCIS  
CLIFTON,

Respondents.

Case 431

No. 54665 PP(S)-265

Decision No. 28946-A

STEVE PRELLER and DAVID MARFILIUS,

Complainants,

vs.

STATE OF WISCONSIN, DEPARTMENT OF  
EMPLOYMENT RELATIONS; UW  
HOSPITAL & CLINICS; UW HOSPITAL &  
CLINICS SUPERINTENDENT GORDON  
DERZON; UWHC PUBLIC AUTHORITY  
GOVERNING BOARD; GREG KRAMP;  
RENAE BUGGE; NEAL SPRANGER;  
DON KLIMPEL; WSEU, AFSCME, LOCAL 171,

Respondents.

Case 429

No. 54594 PP(S)-264

Decision No. 28937-A

No. 28946-A

No. 28937-A

STEVE PRELLER and DAVID MARFILIUS,

Complainants,

vs.

STATE OF WISCONSIN, DEPARTMENT OF  
EMPLOYMENT RELATIONS; UW  
HOSPITAL & CLINICS; UW HOSPITAL &  
CLINICS SUPERINTENDENT GORDON  
DERZON; UWHC PUBLIC AUTHORITY  
GOVERNING BOARD; GREG KRAMP;  
RENAE BUGGE; NEAL SPRANGER;  
DON KLIMPEL; BOB SCHEUER; WSEU, AFSCME,  
LOCAL 171,

Respondents.

Case 430  
No. 54593 PP(S)-263  
Decision No. 28938-A

ORDER DISMISSING COMPLAINT AND  
COMPLAINANT DAVID MARFILIUS AS A NAMED PARTY

Complainant David Marfilus ("Marfilus"), on November 14, 1996, filed an unfair labor practice complaint in Case No. 431, No. 54665, PP(S)-265 ("Case No. 431"), with the Wisconsin Employment Relations Commission alleging that the State of Wisconsin and certain other named Respondents had committed unfair labor practices within the meaning of Sec. 111.84 of the State Employment Labor Relations Act by discriminating against him because of his concerted, protected activities. Earlier on November 1, 1996, two other unfair labor practice complaints were filed in Case No. 429, No. 54594, PP(S)-264 ("Case No. 429") and Case 430, No. 54593, PP(S)-263 ("Case No. 430"), which named Marfilus as a named party. Those complaints alleged that the State of Wisconsin and certain other named Respondents had committed certain unfair labor practices within the meaning of Section 111.84 of the State Employment Labor Relations Act.

Hearing on said matters was held on January 6 and 7, 1997, and March 18, 19, 20 and 21, 1997, in Madison, Wisconsin. There, WSEU, AFSCME, Local 171, was added as a named Respondent in Case 429 and 430.

Marfilius on May 14, 1997, informed the undersigned that he had entered into a settlement agreement with the Respondents and he therefore requested that the complaint filed in Case No. 431 be dismissed and he also requested that he be dismissed as a named party in Case 429 and Case 430. Respondents thereafter informed the undersigned that they did not object to said dismissals, provided that they be done with prejudice. The Examiner being satisfied that the complaint should be dismissed and that Marfilius should be dismissed as a named party;

NOW, THEREFORE, it is

ORDERED

That the complaint filed in Case 431 be, and the same hereby is, dismissed with prejudice and that, furthermore, Marfilius be, and hereby is, dropped with prejudice as a named party in Case 429 and Case 430.

Dated at Madison, Wisconsin, this 5th day of June, 1997.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

By Amedeo Greco /s/  
Amedeo Greco, Examiner