

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

JENNIFER A. PESHUT, Complainant,

vs.

**UNIVERSITY OF WISCONSIN MILWAUKEE (UWM);
NANCY L. ZIMPHER, CHANCELLOR; ERIKA SANDER,
ACTING DIRECTOR OF HUMAN RESOURCES; SHANNON BRADBURY,
LABOR RELATIONS MANAGER; WILLIAM R. RAYBURN,
DEAN OF THE GRADUATE SCHOOL; MARJORIE BJORNSTAD,
ASSISTANT DEAN OF THE GRADUATE SCHOOL; SUSAN BURGESS,
DIRECTOR OF THE CENTER FOR WOMEN'S STUDIES**, Respondents.

Case 465
No. 56793
PP(S)-295

Decision No. 29775-H

JENNIFER A. PESHUT, Complainant,

vs.

**AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES,
COUNCIL 24, WISCONSIN STATE EMPLOYEES UNION (WSEU);
MARTIN BEIL, EXECUTIVE DIRECTOR, KARL HACKER, ASSISTANT
DIRECTOR, JANA WEAVER, FIELD REPRESENTATIVE**, Respondents.

Case 466
No. 56821
PP(S)-296

Decision No. 29776-H

Appearances:

Ms. Jennifer A. Peshut, P.O. Box 11116, Milwaukee, Wisconsin 53211, appearing on her own behalf.

Lawton & Cates, S.C., by **Attorney Bruce M. Davey**, Ten East Doty Street, Suite 400, P.O. Box 2965, Madison, Wisconsin 53701-2965, appearing on behalf of American Federation of State, County and Municipal Employees, Council 24, Wisconsin State Employees Union (WSEU); Martin Beil, Executive Director, Karl Hacker, Assistant Director, Jana Weaver, Field Representative.

Dec. No. 29775-H
Dec. No. 29776-H

Attorney David J. Vergeront, Chief Legal Counsel, Department of Employment Relations, 345 West Washington Avenue, P.O. Box 7855, Madison, Wisconsin 53707-7855, appearing on behalf of University of Wisconsin Milwaukee (UWM); Nancy L. Zimpher, Chancellor; Erika Sander, Acting Director of Human Resources; Shannon Bradbury, Labor Relations Manager; William R. Rayburn, Dean of The Graduate School; Marjorie Bjornstad, Assistant Dean of The Graduate School; Susan Burgess, Director of The Center For Women's Studies.

ORDER DENYING PETITION FOR REHEARING

On January 3, 2003, the Wisconsin Employment Relations Commission issued an Order Affirming Examiner's Findings of Fact and Conclusions of Law and Affirming and Modifying Examiner's Order in the above matters wherein the Commission affirmed the dismissal of two complaints filed by Jennifer A. Peshut alleging the above-named Respondents had committed various unfair labor practices within the meaning of the State Employment Labor Relations Act.

On January 28, 2003, Peshut filed a petition for rehearing pursuant to Sec. 227.49, Stats., alleging that the Commission had made material errors of fact and law.

On January 28, 2003, Respondents UWM et. al. filed a statement in opposition to the petition.

On February 5, 2003, Respondents AFSCME, Council 24, et. al. filed a statement in opposition to the petition.

Having reviewed the record and being fully advised in the premises, we conclude that we did not make any errors of fact or law and further conclude that our January 3, 2003 decision fully responds to the issues Peshut has raised on rehearing.

NOW, THEREFORE, it is

ORDERED

The petition for rehearing is denied.

Given under our hands and seal at the City of Madison, Wisconsin, this 14th day of February, 2003.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

A. Henry Hempe /s/

A. Henry Hempe, Commissioner

Paul A. Hahn /s/

Paul A. Hahn, Commissioner