

STATE OF WISCONSIN

BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

POTOSI COUNCIL OF AUXILIARY PERSONNEL, Complainant,

vs.

SCHOOL DISTRICT OF POTOSI, Respondent.

Case 33
No. 67084
MP-4358

Decision No. 32269-B

Appearances:

Nancy Kaczmarek, Attorney at Law, Wisconsin Education Association Council, 33 Nob Hill Road, P.O. Box 8003, Madison, Wisconsin, 53708-8003, appearing on behalf of Potosi Council of Auxiliary Personnel.

Leslie A. Sammon, Axley, Brynelson, Attorneys at Law, 2 East Mifflin Street, P.O. Box 1767, Madison, Wisconsin 53701-1767, appearing on behalf of the School District of Potosi.

**NOTICE OF COMMISSION'S FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER PURSUANT TO SECTION 111.07(5), STATS.**

On January 27, 2009, Examiner Coleen A. Burns issued Findings of Fact, Conclusions of Law and Order with Accompanying Memorandum in the above-entitled matter determining that Complainant had not exhausted the contractual grievance procedure and therefore that she would not assert the Commission's jurisdiction to determine whether Respondent had violated Secs. 111.70(3)(a)1, 4 or 5, Stats.

Within the 20-day statutory period set forth in Sec. 111.07(5), Stats., no petition for review of said Findings of Fact, Conclusions of Law and Order was filed and no intervening order by the Examiner or the Commission was issued.

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NOW, THEREFORE, the Commission issues the following

NOTICE

By operation of Sec. 111.07(5), Stats., Examiner Burns' Findings of Fact, Conclusions of Law and Order in the above-entitled matter became the Commission's Findings of Fact, Conclusions of Law and Order on February 17, 2009.

Given under our hands and seal at the City of Madison, Wisconsin, this 26th day of February, 2009.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Judith Neumann /s/

Judith Neumann, Chair

Paul Gordon /s/

Paul Gordon, Commissioner

Susan J. M. Bauman /s/

Susan J. M. Bauman, Commissioner