

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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**SARAH A. BELL**, Complainant,

vs.

**MILWAUKEE COUNTY MENTAL HEALTH COMPLEX  
and MILWAUKEE DISTRICT COUNCIL 48, AFSCME, AFL-CIO**, Respondents.

Case 661  
No. 68030  
MP-4429

**Decision No. 32524-B**

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**Appearances:**

**Sarah A. Bell**, 3756 North 23<sup>rd</sup> Street, Milwaukee, Wisconsin 53206, appearing on her own behalf.

**Timothy R. Schoewe**, Deputy Corporation Counsel, Milwaukee County, Milwaukee County Courthouse, Room 303, 901 North Ninth Street, Milwaukee, Wisconsin 53233, appearing on behalf of Milwaukee County.

**Craig R. Johnson**, Law offices of Mark A. Sweet, LLC, 705 East Silver Spring Drive, Milwaukee, Wisconsin 53217, appearing on behalf of Milwaukee District Council 48, AFSCME, AFL-CIO.

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

On December 18, 2008, Examiner Stuart D. Levitan issued Findings of Fact, Conclusions of Law and Order Dismissing Complaints with Accompanying Memorandum in the above-entitled matter determining that Respondent AFSCME had not committed a prohibited practice within the meaning of Sec. 111.70(3)(b)1, Stats. Based on that determination, the Examiner did not exercise the Commission's jurisdiction over the complaint allegation that Respondent Milwaukee County violated a collective bargaining agreement. The Examiner dismissed the complaints.

Dec. No. 32524-B

Within the 20-day statutory period set forth in Sec. 111.07(5), Stats.,<sup>1</sup> 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.

NOW, THEREFORE, the Commission issues the following

**NOTICE**

By operation of Sec. 111.07(5), Stats., Examiner Levitan's 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 January 8, 2009.

Given under our hands and seal at the City of Madison, Wisconsin, this 13<sup>th</sup> day of January, 2009.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Judith Neumann /s/

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Judith Neumann, Chair

Paul Gordon /s/

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Paul Gordon, Commissioner

Susan J. M. Bauman /s/

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Susan J. M. Bauman, Commissioner

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<sup>1</sup> The 20-day period for filing a petition for review ended January 7, 2009. On January 8, 2009, Bell filed a petition for review but that petition is one day late and thus is untimely.