

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

WAUKESHA DEPUTY SHERIFFS LABOR UNION, Complainant,

vs.

WAUKESHA COUNTY, CHAD NILES and NICK OLLINGER, Respondents.

Case ID: 488.0002
Case Type: COMP_MP

DECISION NO. 38742-B

Appearances:

Christopher MacGillis and Kevin Todt, Attorneys, MacGillis Wiemer, LLC, 11040 W. Bluemound Road, Suite 100, Wauwatosa, Wisconsin, appearing on behalf of the Waukesha Deputy Sheriffs Labor Union.

Joel Aziere and Saveon Grenell, Attorneys, Buelow, Vetter, Buikema, Olson & Vliet, LLC, 20855 Watertown Road, Suite 200, Waukesha, Wisconsin, appearing on behalf of Waukesha County, Chad Niles and Nick Ollinger.

DECISION ON PETITION FOR REVIEW

On February 3, 2020, the Waukesha Deputy Sheriffs Labor Union filed a complaint with the Wisconsin Employment Relations Commission alleging that Waukesha County, Chad Niles and Nick Ollinger had committed prohibited practices within the meaning of Wis. Stat. §§ 111.70 (3)(a)1. and (3)(b)1. and had also violated Wis. Stat. §164.02. The County filed an Answer and Affirmative Defenses on October 5, 2020. That same day, the Commission issued an Order Appointing Peter Davis as Examiner. On October 13, 2020, a video hearing was held. A transcript of that hearing was prepared, and the parties filed written argument by March 23, 2021.

On May 11, 2021, Examiner Davis issued a Findings of Fact, Conclusions of Law, and Order dismissing the complaint in part and finding for the Complainant in part. On May 27, 2021, the Respondent filed a Petition for Review. On June 29, 2021, the Complainant filed a Reply/Brief to the Petition for Review. On July 16, 2021, the Respondent filed a Reply Brief in Support of Petition for Review.

The Commission has considered the matter and concludes the May 11, 2021 decision does not contain any errors of fact or law.

As such, Examiner Davis' reasoning is sound.

NOW, THEREFORE, it is:

ORDERED

The Examiner's Findings of Fact, Conclusions of Law, and Order are affirmed.

Issued at Madison, Wisconsin, this 31st day of August, 2021.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman