

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

ROBIN J. HAFFNER, Complainant,

vs.

CITY OF NEW RICHMOND, Respondent.

Case ID: 657.0000

Case Type: COMP_MP

DECISION NO. 39954-B

Appearances:

Stephen L. Weld and Justin Andrews, Attorneys, Weld Riley, S.C. , 3624 Oakwood Hills Parkway, Eau Claire, Wisconsin, appearing on behalf of Robin Haffner.

Jerilyn Jacobs, Attorney, Crivello Carlson, S.C., 7 South Dewey Street, Suite 120, Eau Claire, Wisconsin, appearing on behalf of the City of New Richmond.

DECISION ON PETITION FOR REVIEW

On June 16, 2023, Robin Haffner filed a complaint with the Wisconsin Employment Relations Commission asserting that the City of New Richmond had committed a prohibited practice within the meaning of Section 111.70(3)(a)1. of the Municipal Employment Relations Act (MERA) by seeking to discipline him in whole or in part because he allegedly engaged in activity protected by Section 111.70(2) of MERA.

On September 8, 2023, the Commission appointed Peter G. Davis as Examiner in the matter. On February 13, 2024, Examiner Davis issued an Order Dismissing the Complaint concluding that the Commission is precluded from proceeding in this matter. On March 4, 2024, the Complainant filed a Petition for Review asserting certain errors in law. On March 25, 2024, Respondent filed a Brief in Response to Complainant's Petition for Review. Complainant did not file a Reply Brief and the matter became ripe for Commission consideration on April 15, 2024.

The Commission has considered the matter and concludes that the February 13, 2024, dismissal order does not contain any errors of law. As such, Examiner Davis' reasoning is sound.

NOW, THEREFORE, it is:

ORDERED

The Examiner's Order Dismissing Complaint is affirmed.

Issued at the City of Madison, Wisconsin, this 10th day of May 2024.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman