

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DOUGLAS SMITH, Appellant,

vs.

UNIVERSITY OF WISCONSIN SYSTEM – MADISON, Respondent.

Case 30
No. 72004
PA(dmrs)-48

DECISION NO. 34073-A

Appearances:

Douglas Smith, 1833 Baker Avenue, Madison, Wisconsin, appearing on behalf of himself.

Brian D. Vaughan, University of Wisconsin-Madison, 500 Lincoln Drive, 361 Bascom Hall, Madison, Wisconsin, appearing on behalf of Respondent University of Wisconsin System.

DECISION AND ORDER GRANTING MOTION TO DISMISS

On February 26, 2013, Douglas Smith filed an appeal with the Wisconsin Employment Relations Commission, pursuant to § 230.44(1)(d), Stats., challenging the University of Wisconsin System's decision not to hire him for a position as an Environmental Health Manager. The matter was assigned to Examiner Stuart D. Levitan. The examiner conducted a prehearing conference and, on October 13, 2013, the examiner conducted a mediation. The University had responded to extensive discovery requests from Smith. From that point forward the matter lay dormant. On September 22, 2014, Examiner Levitan inquired as to whether Smith intended to pursue the matter. Smith requested a specific promotion (as a settlement) which was denied by the University. On January 2, 2015, the examiner again inquired as to whether Smith wanted to pursue the matter. He received no response. On March 16, 2015, the University filed their motion to dismiss. A copy was served on Smith by U.S. Mail. On March 17, 2015, Smith was notified by the Commission that he had until March 24, 2015 to respond. No response has been received from Smith as of the date of this decision.

DECISION

It is apparent from this record that Smith has abandoned his intent to pursue this appeal. He has been given multiple invitations to pursue the matter but has chosen not to do so. Accordingly, we enter the following:

ORDER

That the appeal of Douglas Smith is hereby rejected and the matter is dismissed.

Signed at the City of Madison, Wisconsin, this 5th day of May 2015.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner