

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

DANIEL CONTRERAS, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0176

Case Type: PA

DECISION NO. 37776

Appearances:

Trent Ventura, 202 Central Avenue, Oshkosh, Wisconsin, appearing on behalf of Daniel Contreras.

Cara Larson, Department of Administration, 101 E. Wilson Street, 10th Floor, P.O. Box 7864, Madison, Wisconsin, appearing on behalf of the State of Wisconsin Department of Corrections.

ORDER DISMISSING APPEAL

On September 29, 2016, Daniel Contreras filed an appeal with the Wisconsin Employment Relations Commission asserting he had been suspended for one day without just cause by the State of Wisconsin Department of Corrections. The appeal was assigned to Examiner Raleigh Jones. The hearing convened on January 9, 2017, in Oshkosh, Wisconsin, and settlement discussions ensued. As a result of those discussions, a voluntary settlement was reached. DOC's attorney subsequently wrote up a settlement agreement and submitted it to Contreras for him to sign. He refused to sign the document because he disagreed with some of its terms. Over the course of the next 20 months, the case was dormant and nothing relevant to this appeal happened. During that time period, neither side asked for a hearing to be convened. On October 5, 2018, DOC moved to dismiss the appeal. Contreras did not file a response to DOC's request that his appeal be dismissed.

Having considered the matter, the Commission makes and issues the following:

ORDER

The appeal is dismissed.

Dated at Madison, Wisconsin, this 21st day of November, 2018.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman