

BEFORE THE IMPARTIAL HEARING OFFICER

In the Matter of the Grievance of

JAY WESTHUIS

Under the Grievance Procedure of

DODGE COUNTY

Case ID: 258.0003

Case Type: IHO

DECISION NO. 36742

Appearances:

Jay Westhuis, 1016 Newton Avenue, Waupun, Wisconsin, appeared on his own behalf.

Daniel G. Vliet, Buelow, Vetter, Buikema, Olson & Vliet, LLC, 20855 Watertown Road, Suite 200, Waukesha, Wisconsin, appearing on behalf of Dodge County.

DECISION OF THE IMPARTIAL HEARING OFFICER

On June 17, 2016, Jay Westhuis filed a grievance against Dodge County for a written warning he had received and requested that an Impartial Hearing Officer (IHO) be assigned. On July 5, 2016, IHO James Daley contacted the parties to attempt to schedule a prehearing conference. Several additional attempts to schedule the prehearing conference were futile due to issues with the health of Mr. Westhuis and the transfer of this matter to another attorney representing the County due to the retirement of the initial attorney of record. Mr. Westhuis is unrepresented.

On October 17, 2016, an additional request to the parties was made attempting to schedule a prehearing conference. At this point, the County represented that Mr. Westhuis had resigned from his position and he may no longer be interested in pursuing this grievance. No communication was received by Mr. Westhuis.

The grievance of Mr. Westhuis is likely moot with his voluntary resignation. Mr. Westhuis has not contacted the IHO regarding any desire to continue this action (or, in fairness, to abandon such). Although Mr. Westhuis has been unavailable for the entirety of the attempts to schedule any meaningful progress on his grievance, the IHO is also mindful of what appears to be some health issues encumbered by Mr. Westhuis. The order below is representative of the apparent lack of interest to proceed; however, the IHO would like to encourage Mr.

Westhuis to file a petition for reconsideration of the order within thirty (30) days if there is an issue with any of the reasoning or represented facts of this matter.

ORDER

Accordingly, I hereby dismiss the grievance of Mr. Westhuis against Dodge County.

Signed in the City of Madison, Wisconsin, this 1st day of November 2016.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Impartial Hearing Officer