

2. Complainant was terminated from the permanent position effective February 20, 1979.

3. At all times during her employment at WMHI complainant's supervisor was John D. Hayes, superintendent of buildings and grounds.

4. On October 20, 1978, when complainant had been working as an LTE patrol officer for three days complainant informed her patrol partner that a fellow employe who acted as a leadworker of complainant had physically detained her in his patrol car on the grounds of WMHI during that day's regularly scheduled work shift and made unsolicited and unwanted physical sexual contact with her.

5. A few days later she also told another lead worker with whom she worked, that she had been sexually assaulted by a fellow employe.

6. Complainant subsequently discussed the incident with other fellow employes.

7. The incident of harassment became the subject of rumor and gossip among employes of WMHI.

8. Fellow employes, particularly the patrol partner to whom complainant had mentioned the incident, advised her to report it to Mr. Hayes, but she did not do so until January 16, 1979.

9. When complainant was first hired in the LTE position, Mr. Hayes had talked to her about potential problems of sexual harassment and had encouraged her to report to him any such problems along with any other employment related problems. (Tr. I 41; Tr. III 96).

10. Complainant and Mr. Hayes got along well during the course of her employment

until the reported incident of harassment. Mr. Hayes was angry that complainant had not reported the incident to him when it happened.

11. Mr. Hayes did not know about the incident until Ms. Glaser informed him about it on January 16, 1979.

12. On January 12, 1979, Mr. Hayes interviewed both Ms. Glaser and the employe who allegedly harassed her for the purpose of hiring them for permanent positions.

13. On January 12, 1979, Ms. Glaser informed Mr. Hayes that she did not want to work with this employe and gave as her reason a personality conflict with him. Mr. Hayes discussed with Ms. Glaser the fact that the permanent positions would involve single-officer patrol duty. Ms. Glaser did not immediately accept the position but went to think about it for a few days. (Tr. I 250-253).

14. When Ms. Glaser returned on January 16, 1979, to accept the permanent position, Mr. Hayes told her he had hired the other employe to whom she had objected. Ms. Glaser then told Mr. Hayes that this employe had sexually harassed her. This time she also told Mr. Hayes about a number of work rule violations by various employes, including allegations of stealing food and gasoline, sleeping on the job, and failing to report tardiness.

15. On January 16, 1979, after Ms. Glaser told Mr. Hayes about the incident of harassment, he went to Mr. Fred Stehling, personnel director of WMHI and brought Mr. Stehling to hear Ms. Glaser's statement about the episode.

16. From January 16, 1979, until January 31, 1979, Mr. Hayes met with Ms. Glaser several times to discuss the allegations of harassment and the allegations of work rule violations by employees. Mr. Stehling was present at three such meetings and took notes which were subsequently transcribed in the form of typewritten copy.

17. From January 16, 1979 until January 31, 1979, Mr. Hayes attempted to convince Ms. Glaser to put her sexual harassment accusation in writing, and she continued to refuse to do so.

18. Based on oral information from Ms. Glaser, Mr. Hayes did interview the man accused of the harassment and interviewed Ms. Glaser's partner, whose name she had given as a possible witness to the incident. The witness had no first hand knowledge beyond what Ms. Glaser had told him. The accused officer denied the incident.

19. Mr. Hayes acknowledged at a January 26, 1979, meeting with Ms. Glaser, that he had determined that there were rumors and gossip at WMHI concerning Ms. Glaser and the accused employe, but concluded that the entire episode came down to Ms. Glaser's word against the word of the other employe.

20. Based on the inconclusiveness of the investigation results, Mr. Hayes and Mr. Stehling reported to Dr. Treffert, Director of WMHI, who determined that there was nothing else which could be done about the charges made by Ms. Glaser unless she pursued the matter by formal written complaint with police or sheriff departments. (R. Ex. 12).

21. Mr. Hayes believed Ms. Glaser's allegations about the October, 1978 assault but had no evidence on which to take any official disciplinary

action against the accused employe.

22. After January 16, 1979, in spite of the fact that no formal disciplinary action was taken against the accused employe his behavior toward Ms. Glaser did change. There had been obvious and observed personal animosity between Ms. Glaser and her accused attacker over the period of time they were LTE's. This animosity was expressed in mutual verbal profanity and abuse. The use of profanity was common among all employes, although it took on a tone of real animosity in the context of these two employes. After Ms. Glaser reported the incident to Mr. Hayes, the accused employe's manner toward Ms. Glaser became polite and respectful.

23. From the time of the incident of harassment, Ms. Glaser had scheduled her work shifts in order to avoid working with her harassor. After January 16, 1979, she was allowed to schedule in order to continue to avoid working with him.

24. In the context of the circumstances surrounding the alleged harassment of Ms. Glaser in October, 1978, Mr. Hayes took appropriate action to investigate, to keep Ms. Glaser and her accused harassor separated in the employment setting, and to affect a major change in the accused's behavior toward Ms. Glaser. With no more evidence than he had before him, Mr. Hayes did not have an adequate factual basis for taking disciplinary action against the accused.

25. The termination of Ms. Glaser was not based on her complaint of a sexual assault by a fellow employe.

26. Mr. Hayes interviewed some WMHI employes concerning the allegations of work rule violations. He did not interview all employes, and did not interview one of those whom Ms. Glaser particularly accused of such violations. No disciplinary action was taken against any employe.

27. Mr. Hayes found no substantiation of the allegations of stealing food or gasoline. Nevertheless, after his investigation he did change the type of vehicles used by patrol officers from regular automobiles to state service vehicles.

28. While Ms. Glaser was an LTE she worked under lead worker Craig Winkel because of her refusal to work under the other lead worker. Mr. Winkel complained to Mr. Hayes about aspects of her job performance as an LTE, particularly about her tendency to wander away from her assigned station and to spend too much time talking to fellow employes. Ms. Glaser was aware that Mr. Winkel had at least once criticized her performance.

29. Mr. Hayes thought that Ms. Glaser's performance as an LTE had been satisfactory. He discounted criticism of her by Mr. Winkel because he perceived it as a method by which Mr. Winkel was attempting to eliminate competition for a permanent position. (Tr. I 353-261). Mr. Winkel was not hired in a permanent position.

30. Mr. Hayes considered Ms. Glaser to be a good employe during her time as an LTE. He assumed that she, like other employes, sometimes slept on the late shift. He did talk to her about proper procedure for radioing in to the switchboard before approaching vehicles on WMHI grounds; he also counseled her about spending too much time talking to fellow employes. He did not consider these discussions to indicate a

failure in her performance and felt that she was doing a good job overall.

31. In early February, 1979, Mr. Hayes used a shift report prepared by Ms. Glaser as an example of a good report which was shown to other employes.

32. Excluding February 20, 1979, when she did not report to work or call in her absence, complainant was late twice during the time of her probationary employment at WMHI. One incident was due to problems with her car in cold weather and the other was due to illness. She called in both times to report that she would be late.

33. Based on Mr. Hayes' testimony concerning the various allegations of work rule violations, his investigation of the allegations and the conclusions drawn from the investigation, the Commission finds that Mr. Hayes had a relatively lenient attitude toward certain types of employe behavior such as occasional sleeping on the job and occasional lateness, as long as it was called in and was not for an excessive amount of time.

34. Prior to February 20, 1979, Mr. Hayes had given no indication to Ms. Glaser that he had any concern and did not appear in fact to have any concern with the two times she reported to work late before February 20, 1979.

35. After Ms. Glaser informed Mr. Hayes of the alleged assault of October, 1978 and of work rule violations by other employes, and during the process of conducting the numerous meetings with Ms. Glaser and with others to investigate the allegations, and based on his lack of success in getting Ms. Glaser to put her allegations of sexual assault in writing

Mr. Hayes was, according to Ms. Glaser, angry and intimidating in his demeanor toward her. The Commission finds Ms. Glaser's testimony on the subject, unrebutted by Mr. Hayes, to be believable and finds that the relationship between Ms. Glaser and Mr. Hayes, however good it may have been prior to January 16, 1979, was no longer a good relationship after that date.

36. Ms. Glaser failed to report her absence from work on February 20, 1979, and did not come to work until 8:30 a.m., rather than the scheduled 2:30 a.m.

37. Shortly after Mr. Hayes came to work on February 20, 1979, he was informed by his secretary that Ms. Glaser had called in and was at work. Mr. Hayes decided to discuss the situation with Mr. Stehling before he talked to Ms. Glaser. Mr. Hayes also spoke with Dr. Treffert before he met with Ms. Glaser. The letter of termination had been prepared before he met with Ms. Glaser. A probationary service was prepared by Mr. Hayes on February 20, 1979, before he met with Ms. Glaser.

38. Mr. Stehling testified that Mr. Hayes told him that he was very upset by Ms. Glaser's failure to report to work, that she had been late before, that she was on probation and he wanted to terminate her unless she offered a valid reason for her extended absence and failure to report.

39. Mr. Hayes's testimony is that he talked to Mr. Stehling about Ms. Glaser's work performance and discussed disciplinary options open to him. (Tr. I, 346). There is no testimony anywhere in the record by

Mr. Hayes that he was aware of any performance problems of Ms. Glaser during her probationary status which were any different than anything of which he had been aware when she was on LTE status, and which he did not consider serious enough to prevent hiring her on permanent status. He did not testify at all about any particular aspects of her performance which he personally considered deficient at any time prior to February 20, 1979.

40. After reporting to work at approximately 8:30 a.m. on February 20, 1979, Ms. Glaser completed her regularly scheduled activities for that day, including attending classes which were held for employes as part of a period of training concerning handling of patients at WMHI. She was more quiet than was normal for her and did not participate in class discussions as she had done on prior occasions. She did not appear distressed or physically hurt, in the perception of fellow employes.

41. Ms. Glaser was also unusually quiet when she met with Mr. Hayes and Mr. Stehling at 3:30 p.m. on February 20, 1979, but did not appear to be mentally distressed or physically hurt. She was asked to explain her absence of six hours but did not offer any explanation. She did not ask for union representation or for time to obtain counsel. She was terminated from employment at WMHI.

42. Ms. Glaser's unexplained absence from work for six hours was sufficient cause for her termination from her probationary employment at WMHI, so that the action of the appointing authority was not unreasonable, irrational or arbitrary.

43. Ms. Glaser explained the reason for her absence only after her termination and she did so at the urging of a union representative. Ms. Glaser testified that she felt that even though she talked voluntarily about the reasons for her absence with other employes of WMHI, telling those reasons to the appointing authority, Dr. Treffert, for the purpose of convincing him to rehire her, was an invasion of privacy. (Tr. I, 90-93).

44. Ms. Glaser's stated reason for her absence on February 20, 1979, was that she was abducted by four black men in a white car at about 2 a.m., after she had driven to a half-empty University dormitory in response to an anonymous note found at her home, asking her to stop at that place on her way to work. (Tr. I, 40). She stated that she was drugged and rendered unconscious and held for about six hours until she regained consciousness in a room of the dormitory and found herself at liberty to leave.

45. Ms. Glaser further stated that the license number of the vehicle in which she was abducted was recorded as part of one of her routine shift reports prepared in the course of her employment, but that she did not give the license number to the police when she reported the abduction to them in March, 1979, several weeks after it allegedly occurred.

46. At one point in her testimony, Ms. Glaser stated that upon her release from captivity, she drove home in her car, changed clothes and went to work. In another portion of her testimony, she stated that she got in her car and went directly to work.

47. Dr. Treffert found her explanation of her absence from work to be incredible. The Commission finds that Dr. Treffert's conclusion was not unreasonable, irrational or arbitrary.

48. There is no evidence in the record that Ms. Glaser was treated differently with respect to her termination than any other employee under Mr. Haye's supervision under similar circumstances.

CONCLUSIONS OF LAW

1. The burden of persuasion is on appellant to prove to a reasonable certainty by the greater weight of credible evidence that the termination of her probationary employment was an arbitrary and capricious action on the part of the appointing authority.

2. The appellant has failed to sustain her burden of persuasion.

3. The action of the appointing authority was not arbitrary and capricious.

4. The burden of persuasion is on complainant to prove to a reasonable certainty by the greater weight of credible evidence that the appointing authority terminated her employment in retaliation for her complaining about sexual harassment by a fellow employee.

5. Complainant has failed to carry her burden of proof.

6. The action of the appointing authority was not in retaliation for complainant's allegations of sexual harassment by a fellow employee.

OPINION

I PROBATIONARY TERMINATION

The standard which an employe must meet to show that a probationary termination was arbitrary and capricious is a showing that the employer's action was "the result of an unconsidered, wilful and irrational choice of conduct and not the result of the 'winnowing and sifting' process." Olson v. Rothwell. 28 Wis. 2d 233, 239 (1965); Jabs v. State Board of Personnel, 34 Wis 2d 245, 251 (1967). The employer, in the form of appellant's immediate supervisor, Mr. Hayes, the personnel director, Mr. Stehling, and the director of WMHI, Dr. Treffert, had all participated in the decision to terminate Ms. Glaser. Whether the decision to terminate seems quite fair is not the issue in an appeal alleging arbitrary and capricious action. The facts of the case are that Ms. Glaser was absent from work without reporting in at the beginning of her shift, and her absence was of such duration that the employer was entirely justified in considering it a failure to come to work at all, until Ms. Glaser actually appeared. At that time, the decision had already been made to terminate her unless she offered a good reason for the absence. She gave no explanation at all. Under the circumstances, termination is not an irrational choice of conduct.

It appears from the record that Ms. Glaser's relationship with Mr. Hayes did change after she made allegations of harassment and general work violations. The major problem perceived by Mr. Hayes was Ms. Glaser's refusal to give him written charges and her failure to bring the harassment to his attention when it occurred. The problem was not

that Ms. Glaser made the allegation of harassment, but rather that Mr. Hayes was frustrated in his attempt to investigate. The allegations of employe work violations were partially verified and some changes were made in the workplace in response to the verified problems. The record shows that Mr. Hayes took Ms. Glaser seriously, even though he became frustrated in some of his dealings with her. The fact that Mr. Hayes may have been frustrated in dealing with Ms. Glaser does not make the termination arbitrary and capricious. There was at least one sound employment-related reason to terminate Ms. Glaser, and that is sufficient to uphold the termination. The reason Ms. Glaser finally gave for her absence was so incredible that the decision of the appointing authority to disbelieve it was likewise not arbitrary and capricious.

The evaluation of Ms. Glaser's performance shown in the probationary service report prepared by Mr. Hayes on the date of her termination is not consistent with the rest of his testimony, in which he found no serious problems with her performance. The Commission nevertheless does not intend to second-guess the employer on the basis of what appears fair to the Commission. The fact remains that a six-hour unexplained absence from work is a sufficient reason for termination which withstands appellant's claim of arbitrary and capricious action by her employer. Nothing in the record suggests that the same length of absence, similarly unexplained, would have been handled differently for any other probationary employe under Mr. Hayes' supervision. There is no evidence in the record that shows any inconsistent pattern of employe treatment by Mr. Hayes which would tend to make a case for arbitrary

conduct.

II SEX DISCRIMINATION AND RETALIATION

The complainant alleges that her complaint to Mr. Hayes about the sexual assault which is alleged to have occurred in October, 1978, was part of the reason she was terminated from her position at WMHI. She also alleges that the same action of a co-worker constituted discrimination by virtue of adversely affecting her conditions of employment on the basis of her sex during the time she was employed.

Complainant must show that her supervisor knew, should have known, or believed that a sexual assault occurred before the respondent may be held liable to her under §111.31-111.37, Wis. Stats., which states in relevant part in §111.32(5)(g):

(g) It is discrimination because of sex:

1m. For an employer, ... on the basis of sex where sex is not a bona fide occupational qualification, to discriminate against any individual ... in terms, conditions or privileges of employment

2. For any employer ... to discharge or otherwise discriminate against any person because he has opposed any discriminatory practices under this section or because he has made a complaint, testified or assisted in any proceeding under this section.

Sexual harassment or sexual advances by supervisory employes may constitute discrimination under the Wisconsin statute. Hamilton v. DILHR, 94 Wis. 2d 611 (1980). By logical extension, in keeping with the language of the statute and the Hamilton decision, an employer has a duty, when it knows or should know of sexual harassment occurring between fellow employes, to take appropriate action to deal with the

problem. See Continental Can Co. v. State of Minnesota, 22 FEP Cases 1801 (1980); Bundy v. Jackson, 24 FEP Cases 1155, 1160 (1981). An employer's acquiescence to such conduct by its employers constitutes discrimination on the basis of sex with respect to conditions of employment.

In this case the record shows that the employer was aware of the allegation of assault only after January 16, 1979, three months after it is alleged to have occurred. The employer, through Mr. Hayes, took immediate action by investigating the complaint. The investigation provided no objective evidence based on which action could be taken against the accused. The record further shows that the employer believed the complainant's allegations and took steps to keep her separated from the accused while on the job, and that through some means a great change for the better in the accused's behavior toward Ms. Glaser occurred immediately after she reported to Mr. Hayes. The failure to terminate the accused simply on Ms. Glaser's report to Mr. Hayes does not create any liability of the respondent to Ms. Glaser. The first claim that the respondent was involved in or responsible for interference with her enjoyment of her rights of employment is not supported in the record.

The second claim that complainant was terminated in retaliation for reporting an assault by a fellow employe is subject to a different analysis than the first claim. The order of proof on the issues in dispute is set out in McDonnell Douglas Corp. v. Green, 411 U.S. 794 (1973). The complainant must put forth a prima facie case from which the trier of fact may conclude, if the case is not rebutted, that it

is more likely than not that the employer's action was based on impermissible considerations. See Board of Trustees of Keenes State College v. Sweeney, 439 U.S. 24 (1979); Furnco Construction Co. v. Waters, 438 U.S. 567 (1978). The elements of a prima facie case vary according to the nature of the discriminatory actions alleged. See Texas Department of Community Affairs v. Burdine, 25 FEP Cases 113, 115, n.6 (1981).

The prima facie case in this matter must show that the employer was aware of complainant's allegations and that she was terminated. The respondent must then articulate a legitimate non-discriminatory reason for the termination. The complainant may rebut the offered reason and show that it was merely a pretext for discriminatory considerations. See Jacobson v. DILHR, 79-28-PC (4/10/81).

The credibility of witnesses is a factor in this case. The testimony of all key witnesses (Ms. Glaser, Mr. Hayes, Mr. Stehling) were subject to close scrutiny. Ms. Glaser's testimony about her behavior with respect to the alleged assault prior to the time she reported it to Mr. Hayes, her testimony with respect to her work and her relations with her fellow employes, and her testimony concerning her reason for her absence on February 20, 1979 was closely evaluated. Mr. Hayes' testimony was examined with respect to his opinion of Ms. Glaser's job performance, with respect to the date on which he was informed about the alleged assault, and with respect to his handling of the investigation of all of Ms. Glaser's allegations, and the decision to terminate

her from WMHI. Mr. Stehling's testimony was examined with respect to his participation in the investigation of Ms. Glaser's allegations, with respect to the notes he took at various meetings, and with respect to his participation in the decision to terminate Ms. Glaser. There was also a full day of testimony by the parties' polygraph experts concerning the polygraph examination given Ms. Glaser to attempt to determine her truthfulness about the October, 1978, harassment incident and about the date on which she informed Mr. Hayes of the incident. Respondent has urged the Commission to find that the polygraph examination of Ms. Glaser and the testimony of the experts concerning that examination is irrelevant to the issues before the Commission for decision.

Assuming, for the sake of argument only, that all of the polygraph evidence is interpreted in complainant's favor, both with respect to the propriety and reliability of the examination as it was administered to Ms. Glaser and with respect to the conclusion drawn by the expert who administered and interpreted the examination, the Commission finds that this evidence has a very minimal evidentiary weight when compared to the other evidence introduced at the hearing. With respect to the question of whether or not there was in fact a physical sexual assault of the complainant by a fellow employe, the testimony of Mr. Hayes was clear that he believed Ms. Glaser's allegation. (Tr. I, 344). Mr. Hayes' problem was that he failed to gather sufficient objective evidence, aside from his own "gut feeling" that Ms. Glaser was telling the truth, to be able to take any action against the accused employe. The polygraph

test results, if accepted, would only provide cumulative evidence on the issue. The employer had no obligation to administer polygraph examinations to Ms. Glaser and the accused employe at the time of the January, 1979, disclosure of the allegations. As the matter stands, the occurrence of an assault in October, 1978 was not disputed by respondent. With respect to the question of when Ms. Glaser informed Mr. Hayes of the alleged assault, the polygraph results, if accepted would show only that Ms. Glaser believed that the information was given to Mr. Hayes on January 12, 1979. Respondent's argument that the polygraph evidence is irrelevant is not well-founded. The evidence, when looked at in the light most favorable to Ms. Glaser is not the best evidence relating to the matters for which it is offered, because matters of credibility were better determined by reference to the demeanor of the witnesses, and the consistency or lack of it, of their testimony. Looking at the polygraph evidence in the light least favorable to Ms. Glaser, the results of the examination would be considered only inconclusive on the question of her truthfulness and could not be used to impeach her testimony. For these reasons the polygraph evidence did not have any determinative effect in the Findings, Conclusions, Opinion or Order in this case.

Ms. Glaser was sufficiently inconsistent in her testimony before the hearing examiner to raise doubts about the accuracy of her recollection of the date she told Mr. Hayes of the assault. She testified that on January 12, 1979, she had an employment interview with Mr. Hayes, at which she told him she would not work with the employe at issue.

When asked why, she testified she cited personality conflicts as the reason, because she did not want to say more about the employe. (Tr. I, 250-252). Mr. Hayes' testimony corroborates this version of events. (Tr. III, 96). At another point in her testimony, Ms. Glaser stated that on January 12, 1979, she told Mr. Hayes in a direct way the reason she refused to work with the other employe. (Tr. I, 31-35). At another point, she testified that she told Mr. Hayes "most" of the details on January 16, 1979. (Tr. I, 253). Mr. Hayes testified that he did not recall the actual date on which Ms. Glaser informed him of the alleged assault, but he did remember a sequence of events which corroborates the one version of Ms. Glaser's testimony, which leads to the finding that she did not tell Mr. Hayes of the alleged assault until January 16, 1979. (Tr. III, 93-97).

Looking at the testimony of both Ms. Glaser and Mr. Hayes, the Commission has found that Mr. Hayes did not know of the assault until January 16, 1979, after the alleged attacker had been hired. The record is clear that after Mr. Hayes found out about the alleged assault he did investigate, he did keep Ms. Glaser and the other employe separated, and that something else also occurred because the accused employe's behavior toward Ms. Glaser changed drastically for the better. There is no evidence in the record that any employe with whom Ms. Glaser had discussed the assault before January 16, 1979, had told Mr. Hayes of the incident. Ms. Glaser testified that while she talked quite freely about the incident to fellow employes, she asked them not to tell Mr. Hayes. In spite of the acknowledged existence of gossip among fellow

employees, there is no reason to assume that the gossip should have reached the ears of Mr. Hayes before January 16, 1979.

A supervisor has an obligation to investigate allegations of sexual assault of one employe by another during working hours. The employer may be held liable for what the supervisor knew or should have known and for what the supervisor did or should have done once knowledge is assumed or proven. In this case, however, even granting that a fellow employe may have conducted himself in such a way toward complainant that his actions constituted a barrier to her maintaining her job or enjoying her rights of employment, no one in a supervisory or management position was aware of this until January 16, 1979. After Mr. Hayes became aware of the allegation of sexual assault, he took what measures he reasonably could, given the length of time which had elapsed since the alleged assault, and given the paucity of evidence available to him to make a decision. His insistence on getting a written, signed statement from Ms. Glaser was reasonable, since she had been reluctant to give information in the first place. After several weeks of meetings and interviews which included several employes, Ms. Glaser, Mr. Hayes, Mr. Hayes' supervisor, Mr. Stehling, Dr. Treffert and others, Dr. Treffert closed the investigation, but not without advising Ms. Glaser about alternative methods of pursuing her allegations of sexual assault.

The most troubling aspect of the case is the question of whether Ms. Glaser's termination was in retaliation for complaining of sexual harassment. Both the testimony and demeanor of Mr. Hayes suggested

that he was impatient with Ms. Glaser in several ways prior to her termination. He had been informed not only of a particular incident of assault, but also of many allegations of wrongdoing by his entire staff. He spent many uncomfortable hours questioning his employes, discussing matters with other supervisory and management personnel, making surprise visits to the work site, and devising some alternatives to existing procedures in order to eliminate the problems which he found to exist. The sum total of all of this, including his frustration with Ms. Glaser's perceived reluctance to fully cooperate with him in pursuing the investigation of the alleged assault, once she brought the issue into the open, may well have weakened his apparently high opinion of Ms. Glaser. The termination, under these circumstances, was not in retaliation for her complaining of sexual harassment, but for other reasons which may not be exemplary, but which did not constitute retaliation prohibited by §111.31-111.37, Wis. Stats.

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ORDER

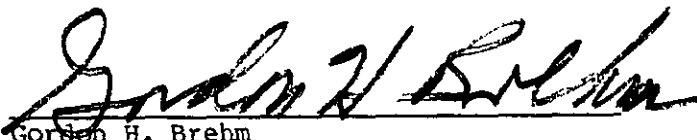
The actions of the respondent are affirmed and the appeal and the complaint are dismissed.

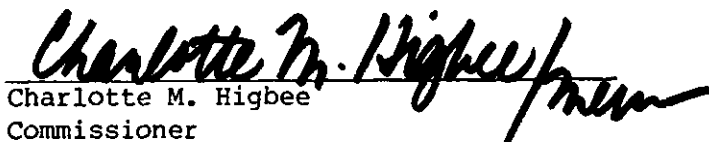
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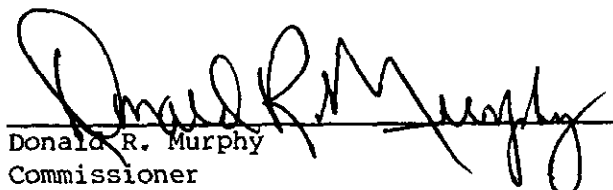
27 July

, 1981.

STATE PERSONNEL COMMISSION


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