

STATE OF WISCONSIN

PERSONNEL COMMISSION

SHARON KING
Complainant,

v.

**Secretary, DEPARTMENT OF
CORRECTIONS,**
Respondent.

DECISION AND ORDER

Case No. 94-0057-PC-ER

NATURE OF THE CASE

This is a complaint of race discrimination and whistleblower retaliation. A hearing was held on July 8, 1997, and May 22, 1998, before Laurie R. McCallum, Chairperson. The parties were permitted to file post-hearing briefs and the briefing schedule was completed on October 5, 1998.

FINDINGS OF FACT

1. Complainant is Native American. In December of 1991, complainant was appointed to a Fiscal Clerk 1 position in the Cashier Unit of respondent's Offender Records/Cashier Section, Bureau of Information Management, Division of Management Services. At all times relevant to this matter, the Cashier Unit consisted of a Financial Specialist 3 position shared by Donna Kraft and Patricia Sine; a Financial Specialist 2 position occupied by Doris Clement; a Fiscal Clerk 2 position occupied by Margaret (Meg) Stowell; and appellant's Fiscal Clerk 1 position. Appellant had the least seniority and the lowest classified position in the Cashier Unit.

2. Ms. Stowell had a close personal relationship with Harvey Walls, who was under the probation/parole supervision of respondent. Michael Sullivan, Secretary of the Department of Corrections, or his designee, had granted Ms. Stowell a waiver of respondent's fraternization policy for her relationship with Mr. Walls. There was no mechanism by which to appeal Secretary Sullivan's waiver decision. It was a matter

of great concern to complainant that Ms. Stowell was permitted to work in the Cashier Unit for respondent despite her relationship with Mr. Walls.

3. There were many problems with Ms. Stowell's work performance and attendance. As a result, respondent placed her on its progressive disciplinary track. Ms. Stowell was disciplined for tardiness and unauthorized absences from work, among other reasons. These problems created a hardship for each of the other employees in the unit, including complainant. During most of the time period relevant here, complainant kept detailed records of Ms. Stowell's attendance, use of unit phones for personal calls, and personal visits by Mr. Walls and others. Complainant and others brought some of their concerns about Ms. Stowell's work performance and attendance to Roberta Otis, Chief of the Offender Records/Cashier Section; and to Phillip Koenig, Director of the Bureau of Information Management. Ms. Otis scheduled at least one meeting of the Cashier Unit staff to address these concerns but complainant did not attend. The other employees in the Cashier Unit felt that management did not address Ms. Stowell's work performance and attendance problems aggressively enough and that this was unfair to them.

4. In late 1993, Ms. Stowell's attendance and work performance problems increased, and complainant's concerns about them increased. Ms. Otis suggested the three of them meet to discuss this situation, but complainant declined. Ms. Otis referred complainant and Ms. Stowell to the employee assistance program, and communicated after that referral with Jo Winston, complainant's and Ms. Stowell's employee assistance contact. Ms. Winston shared with Ms. Otis her impression that complainant's work duties did not keep her busy, and recommended that Ms. Stowell's work station be relocated away from the work stations of the other Cashier Unit employees or at least that complainant's and Ms. Stowell's work stations be separated.

5. In a letter to Secretary Sullivan dated December 20, 1993, complainant stated as follows:

As a taxpayer, I am writing to request if you would bring about enforcement of the Fraternalization Policy in the Cashier Unit of the WI Department of Corrections?

I have been employed as a Fiscal Clerk I in this unit for two years and continue to feel concerned about the conflict of interest of Margaret Stowell and her fraternization with Department of Corrections client Harvey Walls. (236981)

I have already discussed her inappropriate behavior with my supervisor Bobby Otis. Since I received no response to my August 1993 memo to Philip Koenig, I seek your consideration. My notes and documents are enclosed.

Cashier unit lead-worker Donna Kraft has also approved my noting that she, too, is concerned and upset.

6. In response to this letter, Ms. Otis and Mr. Koenig held a meeting with complainant on December 21, 1993. Ms. Otis summarized the meeting as follows in a memo to complainant's personnel file:

It was brought to the attention of Phil Koenig and myself that Sharon King continues to have concerns about the behavior of Margaret Stowell regarding her continued abuse of personal phone calls. Phil and I met with Sharon this afternoon.

It was explained to Sharon that Phil and I discussed the situation and made two decisions: she and Meg would be separated in the work area; and, that additional tasks would be assigned to her position since it appeared she had time on her hands.

Sharon proceeded to discuss with us Meg's use of obscene and foul language on the phone and Meg's continued abuse of personal phone call privileges after she was advised she could only make personal calls on an emergency basis. Sharon fears what Meg might do (sic) stating that she knows she has taken drugs (Sharon requested a copy of a police report for a domestic abuse situation which apparently stated such); that one day she questioned whether Meg was drunk at work; she feels that Meg is a devious person who will say one thing and do another; and, she feels Meg is very unstable. Sharon also indicated that she felt I was not doing my job in disciplining Meg. It was explained to her that disciplinary action taken against an employee is management's responsibility and is confidential.

Sharon objected to being moved indicating that she felt she was being punished for pointing out the problems occurring in the Cashier's Unit.

Phil assured her the move was being made for her own good, removing her from a stressful situation and allowing her to feel more relaxed and productive. She also felt giving her additional work was punishment but it was pointed out to her that her position description indicates she is to perform other tasks and duties as assigned and directed.

Sharon objects to Meg's being permitted to fraternize with a defendant of the Department indicating she feels it adversely affects Meg's life both at home and at work and even though the Department has approved this relationship, she wants her objections to it known and inquired as to how she can appeal the Department's decision.

The meeting was ended with assurances to Sharon that action would be taken to address her concerns.

7. The move which was discussed at this December 21 meeting involved relocating Ms. Stowell to a work station where there was no phone and relocating complainant to Ms. Stowell's former work station. At this time, space for additional employees was required, and Ms. Otis and Mr. Koenig decided that one of the goals in assigning work space would be the consolidation of Cashier Unit functions in one area. Moving complainant to Ms. Stowell's former work station was consistent with this goal. In addition, Ms. Otis had received numerous complaints about complainant and Ms. Sine disrupting others with their conversation and laughing, and this move would further separate their work stations.

8. During the December 21 meeting, Ms. Otis and Mr. Koenig discussed with the complainant the workload issue which would be created if phone duties were removed from Ms. Stowell's position. Complainant indicated that she would "be happy" to assume these additional phone duties. Complainant, as with others in the unit, already had back-up phone duties. It had been the impression of Ms. Otis and Ms. Kraft, who functioned as a lead worker in the Cashier Unit, for some time that complainant's duties did not keep her busy enough.

9. Soon after the December 21 meeting, Ms. Stowell was moved to her new work station. Despite being asked several times to move to Ms. Stowell's former work station and despite deadlines being set for her doing so, complainant did not move. In a

memo to Ms. Otis and Mr. Koenig dated January 21, 1994, complainant stated as follows:

I am requesting that the work station formerly occupied by Margaret Stowell be cleaned before I move to this station. I make this request due to the recent problem of head-lice experienced by the Stowell family. May I please be notified when this has been completed.

This was the first indication by complainant of a reason for her failure to make the move. Ms. Otis relayed this request to the cleaning staff and the work station was cleaned and disinfected on January 21, 1994.

10. Complainant refused to move to the new work station after January 21, 1994. She did not offer respondent a reason for this refusal.

11. On January 31, 1994, complainant contacted Hamdy Ezalarab, respondent's personnel manager, with her concerns about Ms. Stowell and the proposed move to Ms. Stowell's former work station. Dr. Ezalarab arranged for complainant to meet with David Rutter, respondent's Employee Assistance Director, on February 1, 1994. Arrangements were also made on January 31 that complainant, her supervisors, and Mr. Rutter meet on February 2, 1994, to discuss the move and the other issues raised by complainant with Dr. Ezalarab and Mr. Rutter.

12. On January 31, 1994, complainant called in and told Ms. Otis that she hadn't slept well the night before because of the planned move, and requested sick leave for January 31, and vacation for February 1 and February 2. Ms. Otis granted the sick leave request and the vacation request for February 1, but denied the vacation request for February 2 since the meeting with Mr. Rutter had been scheduled for that day. It was during this January 31 conversation that complainant first indicated to Ms. Otis that she objected to the planned move. She explained her objection by indicating that she had an "aversion" to it.

13. At the meeting on February 1, 1994, complainant and Mr. Rutter discussed five concerns raised by complainant. One of these was the proposed move to Ms. Stowell's former work station. Complainant indicated to Mr. Rutter that she had an aversion to Ms. Stowell and to this work station and it would make her ill to have to

move there. Mr. Rutter suggested that it would be advisable for complainant to obtain a physician's confirmation of this. Complainant's communications with Mr. Rutter were considered confidential.

14. Present at the meeting on February 2, 1994, were complainant, Ms. Otis, Mr. Koenig, Mr. Rutter, and Charles Campbell, complainant's union representative. At this meeting, each of the five concerns raised by complainant in her meeting with Mr. Rutter the previous day were raised and discussed. The last concern raised for discussion was the move to Ms. Stowell's former work station. During the discussion of this issue, complainant indicated that moving to Ms. Stowell's former work station would make her ill but did not relate it to any particular health condition. Prior to the meeting, Ms. Otis had prepared a memo which she handed to complainant at this point in the meeting. This memo was dated February 1, 1994, and stated as follows:

So as to avoid further disruption in the work unit, you are expected to move to your newly assigned workstation on Wednesday, February 2, 1994, immediately following an 8:00 a.m. meeting which you have been scheduled to attend.

Complainant would not accept the memo, stood up, and stated she was leaving. Both Mr. Rutter and Mr. Campbell tried to calm complainant and to get her to stay. Complainant placed her keys and her building pass on the table and did not respond when asked if she was resigning except to say that she was leaving. Mr. Koenig advised complainant that, if she left the meeting, her absence would be unexcused. Complainant left the room with no further discussion of the move. Complainant left the work site for the remainder of the day. Respondent denied complainant the use of accrued leave for the 7¼ hours remaining in the work day on February 2 after complainant left the work site. Complainant returned to work on February 3, 1994.

15. After the meeting, complainant contacted Nicholas Bisenius, a psychologist. Dr. Bisenius then contacted Dr. Ezalarab by phone on February 3, 1994, and relayed to him his opinion regarding complainant's current mental status. Dr. Bisenius followed up with a letter to Dr. Ezalarab dated February 5, 1994, which stated as follows:

This letter is in response to our telephone conversation of February 3, 1994. You asked during that conversation that I confirm in writing that I have seen Sharon King and what my opinion is regarding her current mental status.

I did meet with Sharon King on Thursday, February 3, 1994, for a 45 minute session. She explained to me many of the circumstances surrounding the change of one of her co-employees to a new work station. She also indicated that she was being requested to transfer to that particular work station and that she found it impossible to do so because of all the stress she had experienced through the past two years in dealing with the woman who had been at that work station. Sharon was clearly anxious in my presence when discussing the possibility of transferring to that work station. In addition, it is my opinion that this anxiety would intensify if she is forced to go to that particular work station. I do not feel she is being belligerent or stubborn in not being able to follow the request of her supervisor to go to that setting, but that she is indeed truly anxious about it, and that her anxiety would intensify over time if she is forced to do so. I am also concerned about the potential for depressive patterns emerging as a result of her being forced to make a transfer.

I would request on behalf of my client Sharon King that she not be forced to transfer to that new work station. ..

This letter was hand-delivered to Dr. Ezalarab's secretary on February 7, 1994.

16. As a result of Dr. Bisenius's letter, the direction to complainant to move into Ms. Stowell's former work station was withdrawn. Ms. Otis then asked Ms. Sine to move to Ms. Stowell's former work station. Ms. Sine indicated that she preferred not to since, as a lead worker, she was entitled to a work station larger than that one. A decision was then made to have Ms. Sine and Ms. Kraft, who shared a position, share a work station as well. This helped achieve Ms. Otis's goal of consolidating Cashier Unit functions in one area as much as possible. An employee not assigned to the Cashier's Unit was placed in Ms. Stowell's former work station.

17. In a letter to complainant dated February 9, 1994, Ms. Otis stated as follows:

This is a written reprimand resulting from your refusal to carry out both verbal and written direction given to you on February 2, 1994, to move

to another workstation. Not only did you refuse to carry out the instructions, but you left the work area with unexcused absence. This is in direct violation of the Department's Work Rule No. 1:

“Disobedience, insubordination, inattentiveness, negligence, or refusal to carry out written or verbal assignments, directions or instructions.”

It is necessary to give you a formal, written reprimand in light of your actions.

If you feel this action is being taken without just cause, you may appeal it through the provisions of your labor contract.

18. Ms. Otis consulted with Mr. Koenig before issuing this letter of reprimand, and Mr. Koenig consulted with Dr. Ezalarab, Mr. Rutter, and Ken Kissinger, a labor relations specialist for respondent, before approving it. Those consulted were not aware of Dr. Bisenius's conversation with or letter to Dr. Ezalarab at the time they gave their advice. Ms. Otis was not aware of Dr. Bisenius's letter to Dr. Ezalarab at the time she issued this written reprimand.

19. Mr. Koenig's wife and daughter-in-law have Native American ancestry. Ms. Otis's husband has Native American ancestry:

20. Ms. Stowell never walked off the job without authorization.

21. Respondent's supervisors' manual provides that walking off the job without authorization is a violation of the work rules.

CONCLUSIONS OF LAW

1. This matter is properly before the Commission pursuant to §§230.45(1)(b) and (gm), Stats.

2. Complainant has the burden to show that she was discriminated against on the basis of her race or retaliated against for engaging in protected whistleblower activities as alleged.

3. Complainant has failed to sustain these burdens.

OPINION

The issues to which the parties agreed are as follows:

Whether complainant was discriminated against on the basis of race or retaliated against for engaging in protected whistleblower activities in regard to the following:

1. On December 21, 1993, Roberta Otis and Philip Koenig assigned complainant additional job duties after she sent a letter to Secretary Michael Sullivan complaining about her co-worker Meg Stowell.
2. On January 31, 1994, Otis ordered complainant to move to Meg Stowell's former work station.
3. Respondent denied complainant the use of vacation or sick time for her absence on February 2, 1994.
4. Complainant received a letter of reprimand dated February 9, 1994.

Race Discrimination

Under the Wisconsin Fair Employment Act (FEA), the initial burden of proof is on the complainant to show a prima facie case of discrimination. If complainant meets this burden, the employer then has the burden of articulating a non-discriminatory reason for the actions taken which the complainant may, in turn, attempt to show was a pretext for discrimination. *McDonnell-Douglas v. Green*, 411 U.S. 792, 93 S. Ct. 1817, 5 FEP Cases 965 (1973), *Texas Dept. of Community Affairs v. Burdine*, 450 U.S. 248, 101 S. Ct. 1089, 25 FEP Cases 113 (1981).

In the context of discrimination regarding terms and conditions of employment, a prima facie case is demonstrated if the evidence shows that 1) the complainant is a member of a protected group; 2) the complainant suffered an adverse term or condition of employment; and 3) the adverse term or condition exists under circumstances which give rise to an inference of discrimination. It will be assumed for purposes of this analysis that complainant has established a prima facie case of race discrimination.

In regard to the four employment actions at issue here, respondent indicates that: (1) complainant was the logical staff member of the Cashier Unit to assume the additional phone duties since it had been observed not only by her lead worker and her supervisors but also by her employee assistance contact that her duties were not keeping her busy enough; and complainant had indicated in the December 2, 1993, meeting that she would "be happy" to assume these additional duties to help effect the relocation of Ms. Stowell and the removal of a phone from her work station; (2) complainant was selected as the staff member to move to Ms. Stowell's former work station since she was the lowest classified/least senior employee in the unit, and since this move would help to consolidate the functions of the unit into one area and to separate complainant and Ms. Sine; and complainant was ordered to move on January 31, 1994, since she had not responded to previous requests that she move and had offered no reason from this failure other than her concerns regarding the cleanliness of the work area which had been addressed; (3) complainant's request for vacation for February 2, 1994, was denied since this was the day that the meeting to address the concerns complainant had initiated and brought to the attention of the department secretary and personnel manager was scheduled, and complainant was denied the use of 7¼ hours of leave for February 2 because she left the work site without authorization; and (4) the letter of reprimand was issued since complainant had violated the order for her to move to Ms. Stowell's work station and had walked off the job without authorization on February 2, 1994. Each of these reasons is legitimate and non-discriminatory on its face.

The burden then shifts to complainant to show that these reasons are a pretext for race discrimination.

In regard to the additional phone duties, the record shows not only that complainant was the logical staff member to whom to assign these duties but also that she indicated at the meeting to discuss the changes in Ms. Stowell's assignments that she "was happy" to do so.

In regard to the order to move, the record shows that, again, as the lowest classified/least senior employee in the unit, complainant was the logical staff member to

select for the move, especially when moving complainant to Ms. Stowell's former work station also accomplished the goals of consolidating the cashier functions in one area and separating complainant and Ms. Sine. Complainant points to respondent's failure to order Ms. Sine or Ms. Kraft to move as evidence of pretext. However, these employees were lead workers and entitled to a larger work space than Ms. Stowell's former work station would provide, and, as a consequence, were not similarly situated to complainant in regard to this issue. In addition, moving their work station would not accomplish the goal of separating complainant and Ms. Sine. These employees were required, however, to give up their separate work areas and to share a single area.

Issue 3 relates to the denial of complainant's request to use vacation for February 2, 1994. It should first be noted that respondent required advance notice of more than a few days for vacation requests. Despite this, complainant was allowed to take vacation on February 1, 1994. Complainant was denied vacation for February 2, 1994, because a meeting occasioned by her complaints to Secretary Sullivan and Dr. Ezalarab and her representations to Mr. Rutter that the scheduled move would make her ill, was scheduled to be held that day. Based on the evidence of record, this denial was justified. Subsequently, complainant was not allowed to use accrued leave for the 7¼ hours that she was absent without authorization on February 2 after she walked out of the meeting. Since the record shows that it is respondent's practice not to approve leave when an employee "walks off the job" without authorization, it is concluded that this action by respondent was also justified and not discriminatory.

Finally, in regard to the letter of reprimand, it is undisputed that complainant walked off the job on February 2, 1994, without authorization, and she had been warned at the time that doing so would have a consequence. This alone could have justified the reprimand. In addition, however, the record also shows that complainant had violated several directives to move to Ms. Stowell's former work station without offering an explanation to her supervisors for these violations other than: (a) her concern about cleanliness which was expressed by her and addressed by respondent on January 21, 1994, a month after complainant had been directed to move; and (b) a

general statement in the meeting on February 2, 1994, more than six weeks after the directive to complainant to move, that she had an aversion to the work station and it would make her ill to move there. In view of the amount of time which had passed without any mention by complainant of any physical or mental condition which would be affected by the move, and in view of complainant's failure to provide specifics about any such condition, it was not unreasonable for Ms. Otis and Mr. Koenig to conclude that complainant's reference to illness was a tactic employed to delay or avoid something complainant had concluded she didn't want to do. It is concluded that respondent was justified in imposing the written reprimand. Complainant argues that respondent's failure to discipline Ms. Stowell each time she had an unexcused absence demonstrates pretext. However, the record shows that Ms. Stowell never walked off the job in the manner that complainant did on February 2, 1994, and, as a result, the circumstances were not similar. In addition, the record shows that Ms. Stowell was disciplined on several occasions for her attendance record. Complainant also points to the fact that Ms. Kraft and Ms. Sine were not disciplined for not moving to Ms. Stowell's former work station as evidence of pretext. As concluded above, however, the circumstances were not parallel to complainant's and, as a result, the comparison does not demonstrate pretext.

Finally, it should be noted that the Ms. Otis and Mr. Koenig, the primary decision-makers here, were each married to a person with Native American ancestry. This would lend support to the conclusion that neither of them, in taking the actions at issue here, was motivated by racial animus against complainant based on her Native American ancestry.

Complainant has failed to show discrimination against her on the basis of her race.

Whistleblower retaliation

Complainant claims as her protected whistleblower activity her letter to Secretary Sullivan of December 20, 1993. It does not appear to be disputed that this letter satisfied the statutory requirements for a protected disclosure.

To establish a prima facie case in the retaliation context, there must be evidence that 1) the complainant participated in a protected activity and the alleged retaliator was aware of that participation, 2) there was an adverse employment action, and 3) there is a causal connection between the first two elements. A "causal connection" is shown if there is evidence that a retaliatory motive played a part in the adverse employment action.

Here, Ms. Otis and Mr. Koenig, the alleged retaliators, were aware of the Sullivan letter; the actions expressed in issues #1-4 were taken; and a causal connection will be inferred based on the close proximity in time between the disclosure and the actions.

The remainder of the analysis of the retaliation charge, however, mirrors the analysis of the race discrimination charge discussed above. Complainant has offered no additional pretext arguments and, in view of the conclusion reached above, it is concluded here that complainant failed to show that she was retaliated against for the disclosures she made in her December 20, 1993, letter to Secretary Sullivan.

Procedural issue

During the presentation of respondent's case in chief, complainant requested that she be allowed to place into the hearing record more than one thousand pages of documents which had not been properly noticed before the commencement of the hearing and which she had not attempted to introduce during the presentation of her case in chief. During the presentation of her case, complainant had offered certain documents into the hearing record and they had been received, including a multi-page document which had not been properly noticed prior to hearing but had been attached to

her original complaint. The hearing examiner asked complainant if there were certain documents within the one thousand pages which she could identify as critical to her case and which could then be discussed by the parties and the hearing examiner for possible inclusion in the record. Complainant declined to identify any such documents and renewed her request that all one thousand pages become a part of the record. The hearing examiner denied her request. Complainant then filed a motion for substitution of hearing examiners based on this ruling. This motion was denied by the hearing examiner.

After the hearing, complainant requested an extension of time to file her post-hearing brief. The hearing examiner granted this request and the deadline for complainant to file her post-hearing brief was extended sixty days as a result. However, instead of filing a post-hearing brief by the deadline, complainant instead renewed her motion for substitution of hearing examiner. As was the case during the hearing, this motion is primarily based on the hearing examiner's denial of complainant's request to include the documents described above as part of the hearing record. This is not an adequate basis for granting a motion for substitution and the hearing examiner's ruling in this regard is upheld.

ORDER


This complaint is dismissed.

Dated: November 18, 1998

LRM
940057Cdec1

STATE PERSONNEL COMMISSION


LAURIE R. McCALLUM, Chairperson


DONALD R. MURPHY, Commissioner


JUDY M. ROGERS, Commissioner

Parties:

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NOTICE

OF RIGHT OF PARTIES TO PETITION FOR REHEARING AND JUDICIAL REVIEW
OF AN ADVERSE DECISION BY THE PERSONNEL COMMISSION

Petition for Rehearing. Any person aggrieved by a final order (except an order arising from an arbitration conducted pursuant to §230.44(4)(bm), Wis. Stats.) may, within 20 days after service of the order, file a written petition with the Commission for rehearing. Unless the Commission's order was served personally, service occurred on the date of mailing as set forth in the attached affidavit of mailing. The petition for rehearing must specify the grounds for the relief sought and supporting authorities. Copies shall be served on all parties of record. See §227.49, Wis. Stats., for procedural details regarding petitions for rehearing.

Petition for Judicial Review. Any person aggrieved by a decision is entitled to judicial review thereof. The petition for judicial review must be filed in the appropriate circuit court as provided in §227.53(1)(a)3, Wis. Stats., and a copy of the petition must be served on the

Commission pursuant to §227.53(1)(a)1, Wis. Stats. The petition must identify the Wisconsin Personnel Commission as respondent. The petition for judicial review must be served and filed within 30 days after the service of the commission's decision except that if a rehearing is requested, any party desiring judicial review must serve and file a petition for review within 30 days after the service of the Commission's order finally disposing of the application for rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. Unless the Commission's decision was served personally, service of the decision occurred on the date of mailing as set forth in the attached affidavit of mailing. Not later than 30 days after the petition has been filed in circuit court, the petitioner must also serve a copy of the petition on all parties who appeared in the proceeding before the Commission (who are identified immediately above as "parties") or upon the party's attorney of record. See §227.53, Wis. Stats., for procedural details regarding petitions for judicial review.

It is the responsibility of the petitioning party to arrange for the preparation of the necessary legal documents because neither the commission nor its staff may assist in such preparation.

Pursuant to 1993 Wis. Act 16, effective August 12, 1993, there are certain additional procedures which apply if the Commission's decision is rendered in an appeal of a classification-related decision made by the Secretary of the Department of Employment Relations (DER) or delegated by DER to another agency. The additional procedures for such decisions are as follows:

1. If the Commission's decision was issued after a contested case hearing, the Commission has 90 days after receipt of notice that a petition for judicial review has been filed in which to issue written findings of fact and conclusions of law. (§3020, 1993 Wis. Act 16, creating §227.47(2), Wis. Stats.)

2. The record of the hearing or arbitration before the Commission is transcribed at the expense of the party petitioning for judicial review. (§3012, 1993 Wis. Act 16, amending §227.44(8), Wis. Stats.)

2/3/95