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ARLENE RENTMEESTER,

Appellant,

v.

Executive Director, WISCONSIN  
 LOTTERY [Chairperson, WISCONSIN  
 GAMING COMMISSION\*],

Respondent.

Case No. 91-0243-PC

\* \* \* \* \*

RULING ON  
 PETITION FOR  
 REHEARING

This matter is before the Commission on appellant's "petition for limited rehearing on issue of meaning of 'remand' regarding suspension grievance," filed June 20, 1994. The Commission gave respondent until July 1, 1994, to file a response. Respondent did not file a response.

By way of background, the Commission entered an "Interim Decision and Order" in this matter<sup>1</sup> on May 27, 1994.<sup>2</sup> This decision concluded that respondent "failed to provide a predisciplinary procedure consistent with the requirements of the due process clause of the Fourteenth Amendment to the U.S. Constitution, and these suspensions must be rejected." (Conclusion of Law #3, p.12, proposed decision and order which was adopted by the Commission in its final order). The Commission's order rejected the suspensions and "remanded to respondent for action in accordance with this decision." (proposed decision and order, p.38).

In her petition for limited rehearing, appellant contends that the order should be interpreted to require respondent on remand to pay her the amount of pay lost (plus interest), as opposed to simply holding a new predisciplinary hearing on remand,<sup>3</sup> and concludes that the Commission should "clarify the

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<sup>1</sup> This document also resolved certain related, consolidated cases involving the same parties (Case Nos. 92-0152-PC and 92-0182-PC-ER).

<sup>2</sup> This document was served on the parties by mail on May 31, 1994.

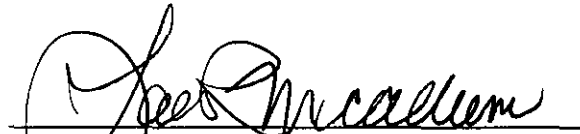
<sup>3</sup> Appellant contends respondent has advised of its intent to proceed in this fashion.

Remand Order by requiring the payment of \$1,281.92 to the complainant."  
Petition, p.5

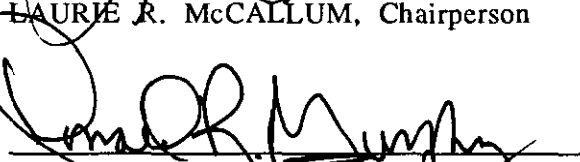
Since respondent failed to file a response in opposition to the petition, the Commission will grant it and amends its interim order entered May 27, 1994, to require that respondent pay appellant \$1,281.92 in back pay and interest.

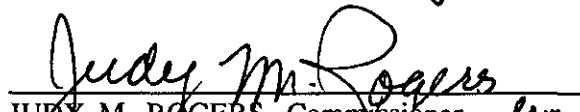
Dated: July 8, 1994

STATE PERSONNEL COMMISSION

  
LAURIE R. McCALLUM, Chairperson

AJT:dkd

  
DONALD R. MURPHY, Commissioner

  
JUDY M. ROGERS, Commissioner *lm*

Parties:

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John Tries  
Chairperson, WCG\*  
150 East Gilman Street  
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\* Pursuant to the provisions of 1991 Wis. Act 269 which created the Gaming Commission effective October 1, 1992, the authority previously held by the Executive Director of the Wisconsin Lottery with respect to the positions that are the subject of this proceeding is now held by the Chairperson of the Gaming Commission.