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STEVEN K. STONER,

Appellant,

v.

Secretary, DEPARTMENT OF
AGRICULTURE, TRADE AND
CONSUMER PROTECTION,

Respondent.

Case No 92-0041-PC

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RULING
ON
STAY
REQUEST

This matter is before the Commission on appellant's request, filed January 6, 1993, to stay this proceeding because he "intends to pursue claims in another forum." Respondent filed an objection to this request on January 19, 1993.

Hearings on this appeal were held on November 2 and December 21, 1992, and a third day of hearing, scheduled for January 21, 1993, has been postponed pending resolution of this request.

It is not uncommon for the Commission to hold in abeyance a case that has been filed here while the employe proceeds through a trial in another forum (usually judicial) of a claim involving the same subject matter. Frequently the results in the other forum will either moot or preclude further proceedings before the Commission, see e.g., Schaeffer v. State Personnel Comm., 150 Wis 2d 132, 441 N.W. 2d 292 (Ct. App 1989). Thus, staying proceedings before the Commission can in many cases effect judicial/administrative economy by avoiding a multiplicity of proceedings. However, in the instant matter, the hearing before the Commission already has been about two-thirds completed. There is no reason to believe that staying this proceeding now will promote judicial/administrative economy. Therefore, the request to stay this proceeding is denied

ORDER

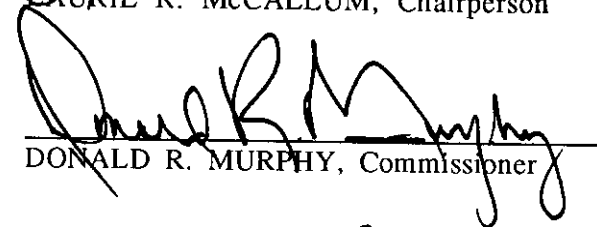
Appellant's request, filed January 6, 1993, to stay this proceeding while he pursues claims in another forum is denied. Appellant is directed to advise the Commission within 20 days of the date of service of this order how he intends to proceed with this matter.

Dated: January 27, 1993

STATE PERSONNEL COMMISSION


LAURIE R. McCALLUM, Chairperson

AJT:rcr


DONALD R. MURPHY, Commissioner


GERALD F. HODDINOTT, Commissioner