

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

---

JOHN GLINIECKI, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0314

Case Type: PA

DECISION NO. 38291-A

---

**Appearances:**

Attorneys Anthony L. O'Malley and Michelle Wenninger, Zacherl, O'Malley & Endejan, S.C. 115 South Main Street, Fond Du Lac, Wisconsin, appearing on behalf of John Gliniecki.

Anfin Jaw, Department of Administration, 101 E. Wilson Street, 10th Floor, P.O. Box 7864, Madison, Wisconsin, appearing on behalf of the State of Wisconsin Department of Corrections.

**ORDER ON REHEARING**

On January 14, 2020, the Wisconsin Employment Relations Commission issued Findings of Fact, Conclusions of Law and Order in the above matter. The Order stated in pertinent part:

1. The discharge of John Gliniecki is modified to a demotion to the position of Nurse Clinician 2 and a 30-day suspension.

On January 17, 2020, the Commission ordered rehearing on its own motion pursuant to § 227.49, Stats. for the purpose of specifying the affirmative action the State of Wisconsin Department of Corrections should take to comply with the January 14, 2020 Order.

NOW, THEREFORE, the Order issued on January 14, 2020 is supplemented as follows:

2. The State of Wisconsin Department of Corrections shall reinstate John Gliniecki to the position of Nurse Clinician 2 and make him whole from the date of his discharge to the date of reinstatement as to seniority and as to any lost wages and benefits by calculating the wages and benefits he would have earned as a Nurse Clinician 2 after serving a 30-day unpaid suspension, commencing with the date of discharge, minus any wages and benefits he earned during the period between the date of discharge and

the date of reinstatement. Interest is to be paid on any lost wages as specified in ERC 94.07.

Signed at the City of Madison, Wisconsin, this 30th day of January, 2020.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

---

Peter G. Davis