

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

BRADLEY LEWIN, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0677

Case Type: PA

DECISION NO. 40716-B

Appearances:

Bradley Lewin, 804 Seymour Street, Waupun, Wisconsin, appearing on his own behalf.

David G. Makovec, Attorney, Department of Administration, 201 East Wilson Street, 10th Floor, P.O. Box 7864, Madison, Wisconsin, appearing on behalf of the State of Wisconsin Department of Corrections.

DECISION AND ORDER ON REHEARING

On February 28, 2025, the Wisconsin Employment Relations Commission granted the Department of Corrections February 3, 2025, Petition for Rehearing for the purpose of determining if the Commission made a material error of law or fact in its January 15, 2025, Decision and Order concluding that the three-day suspension of Bradley Lewin by the State of Wisconsin Department of Corrections be modified to a Letter of Expectation and that Lewin be made whole in all other regards, pursuant to Wis. Admin. Code § ERC 94.07.

Having considered the matter, the Commission concludes that it did not make any material errors of law or fact but that it is appropriate to modify a portion of its January 15, 2025, Memorandum to delete the third to last paragraph thereof and substitute the following:

Having considered the matter, the Commission concludes that a preponderance of the credible evidence establishes that Lewin did everything correctly except to document that he had done so. Thus, he is not accountable in any way for the loss of the inmate's life but is accountable for failing to complete the paperwork documenting that he had acted appropriately.

Issued at the City of Madison, Wisconsin, this 25th day of March 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman