

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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JANICE MUELLER, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0680

Case Type: PA

DECISION NO. 40728-A

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**Appearances:**

Ben Hitchcock Cross, Attorney, Cross Law Firm, S.C., 845 N. 11th Street, Milwaukee, Wisconsin appearing on behalf of Janice Mueller.

David Makovec, Attorney, 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 DENYING PETITION FOR REHEARING**

On January 28, 2025, the Wisconsin Employment Relations Commission issued a Decision and Order modifying the discharge of Janice Mueller by the State of Wisconsin Department of Corrections to a five-day suspension, reinstatement and make whole with interest. On February 17, 2025, Mueller filed a Petition for Rehearing pursuant to Wis. Stat. § 227.49 asserting that the Commission had made errors of law or fact in its January 28, 2025, Decision and Order. On March 3, 2025, the State of Wisconsin Department of Corrections filed a response opposing the Petition for Rehearing.

Having considered the matter, the Commission concludes that it did not make errors of law or fact in its January 28, 2025, Decision and Order.

NOW, THEREFORE, it is

**ORDERED**

The Petition for Rehearing is denied.

Issued at the City of Madison, Wisconsin this 17<sup>th</sup> day of March 2025.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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James J. Daley, Commissioner