

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

MATTHEW GOLEMGESKI, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0766

Case Type: PA

DECISION NO. 40944-A

Appearances:

Ben Hitchcock Cross, Attorney, Cross Law Firm, S.C., 845 North 11th St., Milwaukee, Wisconsin, appearing on behalf of Matthew Golemgieski.

Nicole Porter, Attorney, Department of Administration, 101 East 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 September 9, 2025, the Wisconsin Employment Relations Commission issued a Decision and Order affirming the discharge of Matthew Golemgieski by the State of Wisconsin Department of Corrections (DOC). On September 29, 2025, at 4:45 p.m., Golemgieski filed a Petition for Rehearing pursuant to Wis. Stat. § 227.49, asserting that the Commission had made errors of law or fact in its September 9, 2025, Decision and Order. On October 2, 2025, the DOC filed a response to the Petition for Rehearing, arguing that Golemgieski's Petition was untimely. Per Wis. Stat. § 227.49(1), a petition for rehearing must be filed "within 20 days after service of the order," or no later than 4:30 p.m. on the 20th calendar day after service of the decision.

Having considered the matter, the Commission concludes that Golemgieski's Petition for Rehearing was untimely. It should have been filed no later than 4:30 p.m. on September 29, 2025.¹

¹ Even if Golemgieski's Petition had been timely, the Commission did not make errors of law or fact in its September 9, 2025, Decision and Order.

NOW, THEREFORE, it is

ORDERED

The Petition for Rehearing is denied.

Issued at Madison, Wisconsin this 10th day of October 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Katherine Scott Lisiecki, Hearing Examiner