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Ind 88

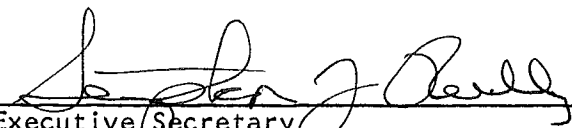
STATE OF WISCONSIN)
)
DEPARTMENT OF INDUSTRY,) SS.
)
LABOR AND HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Stephen J. Reilly, Executive Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said Department, do hereby certify that the attached rules to Wisconsin Administrative Code Ind 88.08 (2)(c) were adopted by the Department of Industry, Labor and Human Relations on October 2, 1967.

I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this 2nd day of October, A. D., 1967.


Executive Secretary

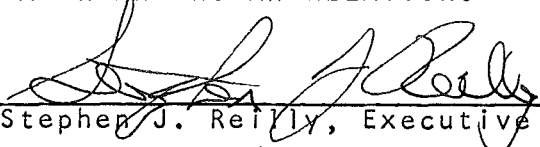
ORDER OF THE
DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section 101.01 to 101.29, Wis. Stats., the Department of Industry, Labor and Human Relations hereby recreates and adopts rules as follows:

Ind 88.08 (2)(c) The commission shall review the entire file and may either affirm its agent's initial determination or order a formal hearing to review the initial determination. The party seeking review shall be the appellant in any such hearing and shall have the burden of proving that there is competent evidence as would lead a quasi judicial officer to believe within reasonable probabilities that a full hearing will establish the fact of unlawful discrimination by a preponderance of the evidence. Subsection (1), but not subsection (2), of section Ind 88.10 shall be applicable to any hearing to review an initial determination ordered pursuant to section Ind 88.08 (2)(c). If after such hearing, and upon the official record made therein, the examiner finds that there is probable cause to believe that discrimination has been or is being committed, he shall make his findings and conclusions to that effect and mail a copy thereof to the complainant and to the respondent. Thereafter, proceedings shall be had as provided in section Ind 88.08 (3), the same as in the case of initial determinations to the same effect. If after such hearing, and upon the official record made therein, the examiner finds that there is no probable cause to believe that discrimination has been or is being committed, he shall make his recommended findings and conclusions to that effect and transmit the same to the commission, with copies thereof to be mailed, at the same time, to the complainant and to the respondent. The commission may thereupon adopt such recommended findings and conclusions and issue its order dismissing the initial complaint; or it may modify or set aside the examiner's recommended findings and conclusions and make its own findings, conclusions and order, on the basis of the official record made at such hearing, as to whether there is probable cause to believe that discrimination has been or is being committed.

The rules as created shall become effective on the first day of the month following publication in the Wisconsin Administrative Code as provided in Section 227.

DEPARTMENT OF INDUSTRY,
LABOR AND HUMAN RELATIONS


Stephen J. Reilly, Executive Secretary

October 2, 1967