

(2) **CONTENTS OF DECISION AND ORDER AFTER HEARING ON THE ISSUE OF PROBABLE CAUSE.** After a hearing on the issue of probable cause, the administrative law judge shall issue a decision and an order which dismisses the allegations of the complaint or which orders the matter remanded for conciliation pursuant to s. Ind 89.13, depending upon the administrative law judge's findings and conclusions on the issue of probable cause. If the decision of the administrative law judge affirms the investigator's decision that no probable cause exists, a certified copy of the decision and order and a notice of appeal rights shall be sent by certified mail, return receipt requested, to each party and to their attorneys of record.

(3) **CONTENTS OF DECISION AND ORDER AFTER HEARING ON THE MERITS.** After a hearing on the merits, the administrative law judge shall issue a decision and an order which shall either dismiss the allegations of the complaint or shall order such action by the respondent as will effectuate the purposes of the act, depending upon the administrative law judge's findings and conclusions on the merits of the complaint. Penalties may be ordered as provided in s. 101.22 (6), Stats. A certified copy of the decision and order shall be served by first class mail to the last known address of each party to the proceedings and to their attorneys of record.

(4) **SUMMARY OF PROCEEDINGS.** If the record of the hearing has not been transcribed before the administrative law judge prepares a decision, the administrative law judge shall prepare and issue with the decision a summary of the proceedings which will serve as the basis for review in the absence of a transcript. If, after a hearing on the issue of probable cause, the administrative law judge issues a decision and an order finding probable cause and remanding the matter for conciliation, no summary of proceedings need be prepared or served, whether or not a transcript has been prepared.

History: Cr. Register, July, 1987, No. 379, eff. 8-1-87.

Ind 89.23 Petition for review. (1) **GENERAL.** Any party may file a written petition for review of the administrative law judge's decision and order by the labor and industry review commission. The petition shall be filed with the division's Madison or Milwaukee office.

(2) **APPEAL OF ADMINISTRATIVE LAW JUDGE'S DECISION OF NO PROBABLE CAUSE.** If, after a hearing on the issue of probable cause, the administrative law judge issues a decision that no probable cause exists, the complainant may file a petition for review within 21 days from the date of receipt of the decision.

(3) **APPEAL OF OTHER DECISIONS.** A petition for review of any decision which is appealable to the labor and industry review commission, other than as set forth under sub. (1), shall be filed within 21 days after the date that a copy of the administrative law judge's decision and order is mailed to the last known addresses of the parties.

History: Cr. Register, July, 1987, No. 379, eff. 8-1-87.