

STATE OF WISCONSIN

CIRCUIT COURT

_____ COUNTY

[COMPLAINANT]

[Address]

[City, State, Zip Code]

Plaintiff,

v.

Case No. _____
Unclassified - Civil: 30703

[EMPLOYER RESPONDENT]

[Address]

[City, State, Zip Code]

Defendant.

COMPLAINT

Plaintiff, _____ [Complainant], by Attorney _____, its counsel, brings this action and for its complaint against the defendant alleges the following:

1. Defendant _____ [Employer Respondent] is located at _____ [address], and is owned by _____ [name].

2. _____ [Employer Respondent] is an “employer” within the meaning of Wis. Stat. § 111.32(6)(a).

3. Plaintiff filed a complaint with the Department of Workforce Development (“DWD”) Equal Rights Division (“ERD”) on _____ [date], alleging that the Defendant [e.g., discharged the Plaintiff from employment because the Plaintiff had filed, or it believed the Plaintiff had filed or would file, a complaint against it under the Wisconsin Fair Employment Act]. _____

4. Wisconsin Statute § 111.39 authorizes the DWD to receive and investigate complaints filed under this section; to issue initial determinations; to conduct hearings; and to make written findings and orders, which are subject to judicial review under Wis. Stat. ch. 227.

5. On _____ [date], DWD issued an initial determination, finding probable cause to believe that the Defendant violated the Wisconsin Fair Employment Law as alleged, and the matter was certified to hearing.

6. On _____ [date], the matter came on for hearing before Administrative Law Judge _____ [name]. [Add other relevant information, e.g. parties appeared in person and with or without counsel.]

7. On _____ [date], the ALJ issued a decision and order, [describe findings of the ALJ, e.g., discharging the Plaintiff her from employment because she filed a complaint, etc.]_____

8. The decision of the ALJ was appealed to the Labor & Industry Review Commission (LIRC); on _____ [date], LIRC affirmed/reversed the decision of the ALJ and ordered that: [describe the order, e.g., the Defendant must cease and desist from discriminating against the Plaintiff, make the Plaintiff whole for lost pay and benefits, pay back pay to the Plaintiff, pay interest, costs or attorney fees, etc.]_____

9. The Defendant was ordered to file a Compliance Report with the Labor & Industry Review Commission (LIRC), detailing the actions it took to comply with the Order, within 30 days after the date the order became final. A true and complete copy of the [date] Decision is attached hereto marked Attachment A.

10. The Defendant did not file a timely petition for review with the circuit court and has taken no steps to comply with the Order.

11. Wisconsin Stat. § 111.395 authorizes the Plaintiff to bring this action in circuit court.

WHEREFORE, the plaintiff requests judgment as follows:

1. All amounts due and owed to the Plaintiff pursuant to the LIRC order.
2. The costs and disbursements of this action.
3. Such other relief as the court deems appropriate.

Dated this ____ day of _____, 20__.

Respectfully submitted,

[Name]
State Bar #
Attorney for Plaintiff