

**STATE OF MICHIGAN  
EMPLOYMENT RELATIONS COMMISSION  
LABOR RELATIONS DIVISION**

In the Matter of:

PONTIAC SCHOOL DISTRICT,  
Public Employer - Respondent,

Case No. C08 K-239

-and-

ANN GRACIA,  
An Individual - Charging Party.

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APPEARANCES:

Ann Gracia, *In Propria Persona*

**DECISION AND ORDER ON RECONSIDERATION**

On May 22, 2009, we issued our Decision and Order in the above-captioned matter granting Charging Party's request to withdraw her charge, and ordering that the March 18, 2009 Decision and Recommended Order of Administrative Law Judge David M. Peltz (ALJ) be published along with our Decision and Order in accordance with Commission policy. Charging Party filed a motion for reconsideration of our Decision and Order on May 27, 2009 asserting that she mailed her request to withdraw the charge on March 6, 2009, well before the ALJ's decision was issued on March 18. Charging Party requests that the ALJ's decision not be published as the underlying matter was settled before the ALJ's Decision and Recommended Order was issued.

If the ALJ had received Charging Party's request to withdraw her charge within a few days of its mailing as Charging Party reasonably anticipated, the file would have been closed and the ALJ's decision would not have been issued. Thus, we find it is appropriate to put the parties in the position they would have been in if Charging Party's request to withdraw her charge had been received within a few days of its mailing. Accordingly, we grant Charging Party's request that we reconsider our May 22, 2009 Decision and Order and issue the following Order.

**ORDER**

The Decision and Recommended Order of the Administrative Law Judge is hereby vacated. The ALJ's Decision and Recommended Order will not be published.

MICHIGAN EMPLOYMENT RELATIONS COMMISSION

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Christine A. Dardarian, Commission Chair

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Nino E. Green, Commission Member

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Eugene Lumberg, Commission Member

Dated: \_\_\_\_\_