

STATE OF WISCONSIN

PERSONNEL COMMISSION

* * * * *

BETTY BOHRIG, et al. *

Appellants, *

v. *

Secretary, DEPARTMENT OF *

EMPLOYMENT RELATIONS, *

Respondent. *

Case No. 83-0181-PC *

* * * * *

DECISION
AND
ORDER

NATURE OF THE CASE

In a letter dated August 8, 1983 and received by the Commission on August 19, 1983, the appellants stated in part:

On July 21, 1983, the Nursing Supervisor II's of the Bureau of Correctional Health Services received notification of a reallocation. Namely, our pay range was raised from 1-14 to 1-15.

We wish to appeal this reallocation because of the lack of an increase in pay (with the exception of two supervisors) along with the increase in pay range.

The respondent filed a motion to dismiss for lack of subject matter jurisdiction. The parties were granted an opportunity to file briefs.

Administrative responsibilities under Wisconsin's civil service statutes (Subch.II, Ch.230, Stats.) were reassigned by the provisions of 1983 Wisconsin Act 27, effective July 2, 1983. Responsibility in the area of compensation and for establishing the compensation plan now rest with the Secretary of the Department of Employment Relations, subject to certain specified review by the Joint Committee on Employment Relations, as described in §230.12, Stats.

Not all decisions of the Secretary are appealable to the Commission. Pursuant to §230.44(1), Stats., the following decisions of the Secretary are appealable:

- (1) APPEALABLE ACTIONS AND STEPS. Except as provided in par. (e), the following are action appealable to the Commission under section 230.45(1)(a):

* * *

- (b) Decision made or delegated by the secretary. Appeal of a personnel decision under §230.09(2)(a) or (d) or §230.13 made by the secretary or by an appointing authority under authority delegated by the secretary under §230.04(1m).

The above grant of jurisdiction makes no mention of decisions made under §230.12, Stats., nor are there any other jurisdictional provisions which would permit the Commission to assert jurisdiction in this matter. Therefore, the appeal must be dismissed.

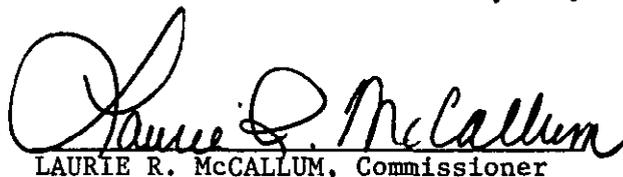
ORDER

Respondent's motion to dismiss is granted and this appeal is dismissed due to lack of subject matter jurisdiction.

DATED: November 9, 1983 STATE PERSONNEL COMMISSION


DONALD R. MURPHY, Chairperson

KMS:jab


LAURIE R. McCALLUM, Commissioner


DENNIS P. MCGILLIGAN, Commissioner

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