

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

ANGELA WILSON, Appellant,

vs.

DEPARTMENT OF CORRECTIONS, Respondent.

Case 224
No. 72196
PA(adv)-345

DECISION NO. 34974

Appearances:

Jim Parrett, Field Representative, AFSCME Council 24, N14436 17th Avenue, Necedah, Wisconsin 54646, appearing on behalf of Complaint Angela Wilson.

Laura Amundson, Labor Relations Specialist, Wisconsin Office of State Employment Relations, 101 East Wilson Street, 4th Floor, P.O. Box 7855, Madison, Wisconsin 53707-7855, appearing on behalf of Respondent Department of Corrections.

ORDER GRANTING MOTION TO DISMISS

On August 2, 2013, Angela Wilson filed an appeal with the Wisconsin Employment Relations Commission pursuant to § 230.44(1)(c), Stats., asserting that she had been disciplined and denied pay by the Wisconsin Department of Corrections without just cause. On September 13, 2013, Respondent Department of Corrections filed a motion to dismiss the appeal asserting that the Commission lacks jurisdiction over the appeal. The parties thereafter filed written argument and the motion is now ripe for Commission action.

Having considered the matter and being fully advised in the premises, the Commission makes and issues the following

ORDER

The appeal is dismissed.

Dated at Madison, Wisconsin, this 11th day of April 2014.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner

MEMORANDUM ACCOMPANYING ORDER GRANTING MOTION TO DISMISS

Section 230.44(1)(c), Stats., provides:

If an employee has permanent status in class ... the employee may appeal a demotion, layoff, suspension, discharge or reduction in base pay to the commission, if the appeal alleges that the decision was not based on just cause.

Wilson received a written reprimand and was placed on paid administrative leave.

Section 230.44(1)(c), Stats., does not give us jurisdiction over written reprimands or over disputes as to whether an employee should be placed on a paid leave. Therefore, we have dismissed the appeal.

Dated at Madison, Wisconsin, this 11th day of April 2014.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner