

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

SCOTT WILHORN, Appellant,

vs.

DEPARTMENT OF NATURAL RESOURCES, Respondent.

Case 30
No. 73152
PA(grp)-31

DECISION NO. 35044

Appearances:

Jim Parrett, Field Representative, AFSCME Council 24, N14436 17th Avenue, Necedah, Wisconsin, appearing on behalf of Appellant Scott Wilhorn.

Wilhelmina Mickelson, Labor Relations Specialist, Office of State Employment Relations, 101 East Wilson Street, 4th Floor, P.O. Box 7855, Madison, Wisconsin, appearing on behalf of Respondent Department of Natural Resources.

ORDER GRANTING MOTION TO DISMISS

On September 10, 2013, Appellant Scott Wilhorn sought permission to engage in outside employment with the U.S. Fish and Wildlife Service. The agency approved the request in part, and Wilhorn filed a grievance with the Department of Natural Resources. After proceeding through the steps, Wilhorn, on April 14, 2014, file an appeal to the Wisconsin Employment Relations Commission. The State moved to dismiss the appeal based on an asserted lack of jurisdiction and the matter has been fully briefed. Accordingly, we issue the following:

ORDER

The motion to dismiss is granted and this matter is dismissed.

Dated at the City of Madison, Wisconsin, this 19th day of June 2014.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner

MEMORANDUM ACCOMPANYING ORDER GRANTING MOTION TO DISMISS

Wilhorn was denied permission to engage in additional employment with the federal government. Our jurisdiction is limited and spelled out in detail in ch. 230, Stats. As Wilhorn's representative is fully aware we have no authority to review this personnel decision or to anyway alter the policy decisions of the DNR. Accordingly, we grant the State's motion to dismiss.

Dated at the City of Madison, Wisconsin, this 19th day of June 2014.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner