

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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LUEVENIA JACKSON, Appellant,

vs.

DEPARTMENT OF CHILDREN AND FAMILIES, Respondent.

Case ID: 4.0001

Case Type: PA

DECISION NO. 35434

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**Appearances:**

Mike Stahl, Field Representative, Wisconsin State Employees Union, AFSCME Council 24, AFL-CIO, 8033 Excelsior Drive, Madison, Wisconsin, appearing on behalf of Appellant Luevenia Jackson

Karl R. Hanson, Office of State Employment Relations, 101 E. Wilson Street, 4th Floor, P.O. Box 7855, Madison, Wisconsin, appearing on behalf of Respondent Department of Children and Families.

Ms. Jackson was discharged on July 29, 2014. On August 25, 2014, she sought a direct appeal to the Wisconsin Employment Relations Commission. The Respondent Wisconsin Department of Children and Families (“DCF”) has moved to dismiss or, in the alternative, to remand this matter for processing under the Wisconsin Human Resources Handbook. DCF has submitted a brief in support of its position.

The Commission having duly considered the matter, issues the following

**DECISION AND ORDER**

As a result of action by the Wisconsin Legislature, we no longer have jurisdiction over direct appeals from adverse employment decisions involving discipline or discharge. We are limited to reviewing those decisions as the final step in the grievance procedure. Thus, in order to gain access to our review, an appellant must exhaust the grievance procedure.

Accordingly, we issue the following

**ORDER**

This matter is remanded to the DCF with directions to treat the appeal as a timely filed step one grievance. If the matter is not resolved through the grievance procedure, Jackson may file an appeal to this agency within the specified time limits.

Signed at the City of Madison, Wisconsin, this 27th day of October 2014.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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James R. Scott, Chairman

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Rodney G. Pasch, Commissioner