

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

HANNAH STRELCHENKO, Appellant,

vs.

DEPARTMENT OF REVENUE, Respondent.

Case ID: 254.0000

Case Type: PA

DECISION NO. 35462

APPEARANCES:

Hannah Strelchenko, 4446 Snowy Ridge Trail, Windsor, Wisconsin, appearing on behalf of herself.

Amesia N. Xiong, Office of State Employment Relations, 101 E. Wilson Street, 4th Floor, P.O. Box 7855, Madison Wisconsin, appearing on behalf of Respondent Department of Revenue.

Appellant Hannah Strelchenko was discharged from her job at the Wisconsin Department of Revenue on September 9, 2014. She filed a grievance per the Wisconsin Human Resources Handbook on October 1, 2014. After exhausting the first step, Strelchenko filed an appeal with the Wisconsin Employment Relations Commission. Strelchenko apparently continued the Handbook grievance process. The State filed a motion to dismiss on October 22, 2014, and Strelchenko responded on November 6, 2014. The matter is ready for decision.

DECISION AND ORDER GRANTING MOTION TO DISMISS

If this were merely a case of a premature appeal, we would remand it for further processing. Strelchenko's offer letter however clearly specifies that she was to serve an eighteen month probationary period beginning with her hire on June 17, 2013. (Affidavit of Scott C. Thompson, Ex.A.) The availability of appeals to the Commission in discipline matters is limited to employees with "permanent status in class." § 230.44(1)(c), Wis. Stats. As a probationer, Strelchenko did not have "permanent status in class" and was therefore subject to discharge at the discretion of the Department of Revenue. Accordingly, we enter the following:

ORDER

The appeal of Hannah Strelchenko is dismissed.

Signed at the City of Madison, Wisconsin, this 26th day of December 2014.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner