

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

SHANE GIZA, Appellant,

vs.

STATE OF WISCONSIN, DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0102

Case Type: PA

DECISION NO. 36144

Appearances:

Shane Giza, 239 South Broadway, Stanley, Wisconsin, appearing on behalf of himself.

Michael Gentry, Department of Administration, 101 East Wilson Street, 10th Floor, Post Office Box 7864, Madison, Wisconsin, appearing on behalf of Respondent State of Wisconsin, Department of Corrections.

Appellant Shane Giza transferred from one state position to another in August / September of 2014. An employee benefits specialist at Respondent Department of Corrections assured Giza that his family insurance coverage would continue intact even though he switched carriers. As it turned out, the advice was incorrect and Giza wound up owing \$1,711.15 in medical expenses. Giza filed a direct appeal to the Wisconsin Employment Relations Commission from the Department's refusal to reimburse him the funds. The Department has moved to dismiss his appeal asserting that we lack jurisdiction. Giza has not responded to the motion.

DECISION AND ORDER GRANTING MOTION TO DISMISS

Our jurisdiction over state employees' appeals is limited and carefully defined in § 230.44(1), Stats. While the action taken with regard to Giza may well have been unfair and certainly was erroneous, we have no jurisdiction over his appeal. Accordingly, we have no choice but to dismiss Giza's appeal.

ORDER

The appeal of Shane Giza is hereby dismissed.

Signed at the City of Madison, Wisconsin, this 30th day of December 2015.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James R. Scott, Chairman

Rodney G. Pasch, Commissioner

James J. Daley, Commissioner