

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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ANGELA LESKOW, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0179

Case Type: PA

DECISION NO. 36759

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**Appearances:**

William Leanderts, AFSCME Steward, 1410 Loftsgordon Avenue, Madison, Wisconsin, appearing on behalf of Angela Leskow.

Anfin Jaw, Legal Counsel, Department of Administration, 101 E. Wilson Street, 10th Floor, P.O. Box 7864, Madison, Wisconsin, appearing on behalf of the State of Wisconsin, Department of Corrections.

**DECISION AND ORDER GRANTING MOTION TO DISMISS**

On September 30, 2016, Appellant Angela Leskow received a written reprimand for having been involved in a domestic dispute with a domestic partner. Leskow appealed directly to the Wisconsin Employment Relations Commission and the Department of Corrections has moved to dismiss the appeal. Both sides have briefed the motion and the matter became ripe for Commission consideration on November 17, 2016

**DECISION**

Leskow creatively argues that we have jurisdiction over this matter because of DOC's purported failure to follow its own disciplinary policy which she asserts does not allow written reprimands to be issued. Under § 230.445(1)(a), Stats., an "adverse employment decision" is defined as a "decision to demote, layoff, suspend without pay, discharge, or reduce the base pay of an employee." It is adverse employment actions which are grievable and in turn appealable to the Commission. Written warnings (whether permitted or not) are not appealable, nor is any underlying disciplinary policy. Therefore, we lack jurisdiction over same. In that respect, 2015 Act 150 merely recodifies the longstanding limits of our jurisdiction. Accordingly, this appeal must be dismissed.

**ORDER**

The appeal of Angela Leskow is hereby dismissed.

Signed at the City of Madison, Wisconsin, this 15th day of December 2016.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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James R. Scott, Chairman

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Rodney G. Pasch, Commissioner

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James J. Daley, Commissioner