

BEFORE THE IMPARTIAL HEARING OFFICER

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In the Matter of the Grievance of

ALLEN KLING

Under the Grievance Procedure of

JACKSON COUNTY

Case ID: 429.0001

Case Type: IHO

DECISION NO. 40393

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**Appearances:**

Jessica McDonald, on behalf of the County.

Allen Kling, on his own behalf.

**DECISION OF THE IMPARTIAL HEARING OFFICER**

On June 3, 2024, the Wisconsin Employment Relations Commission received a request that Commission staff attorney Peter G. Davis serve as an impartial hearing officer as to a grievance filed by Allen Kling regarding his termination by Jackson County.

Pursuant to Jackson County Ordinance-Chapter 4-Personnel Policy, I held a hearing in Black River Falls, Wisconsin on June 18, 2024. On June 27, 2024, the County supplemented the record without objection and Kling did the same on July 1, 2024.

The Grievance Procedure contained in the Personnel Policy states:

Employees of Jackson County are employed at-will and may resign with or without reason. The Employer may terminate the employment relationship at any time with or without reason and without violation of applicable law.

The evidence establishes that the County terminated Kling's employment based on its conclusion that he sexually harassed a female County employee. Kling asserts he did not engage in sexual harassment. In the context of the applicable "at-will" standard, I need not conclude whether Kling sexually harassed another employee. The County's action meets the applicable "with or without reason" standard and does not violate any applicable law.

Issued at Madison, Wisconsin, this 15<sup>th</sup> day of July 2024.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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Peter G. Davis, Impartial Hearing Office