

BEFORE THE IMPARTIAL HEARING OFFICER

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In the Matter of the Grievance of

JOELLA WALKER

Under the Grievance Procedure of

MILWAUKEE PUBLIC SCHOOLS

Case ID: 22.0107

Case Type: IHO

Grievance No. 25/199

DECISION NO. 41439

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**Appearances:**

Will Kramer, Attorney, Pines Bach, 122 W. Washington Ave., Suite 900, Madison, Wisconsin, appearing on behalf of Joella Walker.

Natalie Fluker, Attorney, 5225 West Vliet Street, Milwaukee, Wisconsin, appearing on behalf of the Milwaukee Board of School Directors and Milwaukee Public Schools.

**DECISION OF THE IMPARTIAL HEARING OFFICER**

On September 2, 2025, the Wisconsin Employment Relations Commission received a joint request from the Milwaukee Public Schools and Joella Walker to appoint Katherine Scott Lisiecki, a member of the Commission's staff, to serve as the Impartial Hearing Officer (IHO) in a proceeding concerning Walker's discipline. A hearing was held on December 17, 2025, by video conference. The parties made oral closing arguments at the end of the hearing, and the hearing was transcribed. Having considered the evidence, the arguments of the parties, and the record as a whole, I issue the following decision.

**ISSUE**

Did the Milwaukee Public Schools have just cause to issue discipline to Joella Walker in the form of a disciplinary letter? If not, what is the appropriate remedy?

**FACTS**

Joella Walker (herein, Walker) worked as a teacher at the Lynde and Harry Bradley Technology and Trade School (herein, Bradley Tech), part of the Milwaukee Public Schools

(herein, MPS). Walker has worked for MPS for thirty years and has no prior discipline. *See* Transcript at 33.

On May 9, 2025, a student in Walker's class emailed an administrator to report that Walker was threatening to hit a student. *See* Exhibit 4, pg. 4. After the incident, Bradley Tech principal Aaron Shapiro gathered 14 student statements. Many of the students said they were not paying attention, but seven students said they heard Walker threaten to hit the student, making a fist as though she was going to punch him, and telling him that her son was a black belt and he (the son) would fight the student. *See* Exhibit 4.

A disciplinary hearing was held on May 23, 2025. *See* Exhibit 4, pg. 2. On May 26, 2025, Shapiro issued Walker a disciplinary letter. *See* Exhibit 5. On June 11, 2025, Walker filed a grievance regarding the disciplinary letter. *See* Exhibit 6. On July 17, 2025, Employment Relations Specialist Marshall Traster issued a written decision denying Walker's grievance. *Id.* On August 4, 2025, Walker filed a grievance regarding Traster's decision. *Id.*

## **DISCUSSION**

### **The Standard of Review**

I begin my discussion by first addressing the standard of review. Part II (B) of MPS's Employee Handbook states that "non-probationary employees shall only be disciplined or discharged for just cause." Thus, employee discipline will be reviewed under a just cause standard. Although the Handbook does not define just cause, a finding of just cause generally requires the employer to prove that (1) the employee committed conduct for which discipline is warranted and (2) the discipline issued is consistent with the seriousness of the misconduct.

Part II (B) of the Employee Handbook further states that MPS has a policy of progressive discipline, which depends "on the specific behavior and the frequency of occurrences." In other words, serious behaviors may justify departure from progressive discipline, though the provision does not specify which behaviors may warrant departure from progression.

MPS bears the burden of proving that there was just cause for the discipline. *See* MPS Exhibit 1, pg. 37.

### **The Merits**

The first issue is whether Walker committed misconduct for which discipline is warranted. MPS alleges that Walker threatened to hit a student, balled up her fist as though she was going to hit him, and threatened to have her son fight the student. Administrative Policy 6.07, Employee Rules of Conduct, prohibits employees from threatening, harassing, or intimidating students. *See* Exhibit 4, pg. 19. Here, seven student statements said that Walker made some kind of physical threat towards a student. Taken together, these statements are consistent and more credible than Walker's denial.

Walker argues that the student was acting out, but student misbehavior is never an excuse to make threatening statements or gestures towards students. Walker argues that her comments and gesture were clearly joking, as she is 82 years old and smaller than the student in question. However, teachers are expected to model professional behavior at all times and to be courteous and professional to students. Threatening a student with corporal punishment, even in a joking manner, is discourteous and unprofessional.

Walker argues that, in her thirty years working for MPS, she has no prior discipline. However, her lack of previous discipline is the reason that this misconduct warrants a disciplinary letter, rather than a suspension.

In conclusion, the preponderance of the evidence establishes that Walker committed misconduct. Therefore, there was just cause for MPS to issue Walker a disciplinary letter.

For the reasons set forth above, I find that MPS had just cause to issue discipline to Joella Walker in the form of a disciplinary letter. Accordingly, I issue the following:

### **DECISION**

MPS had just cause to issue discipline to Joella Walker in the form of a disciplinary letter. Therefore, the discipline stands, and her grievance is denied.

Issued at Madison, Wisconsin, this 22<sup>nd</sup> day of April 2026.

### **WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by Katherine Scott Lisiecki**

Katherine Scott Lisiecki, Impartial Hearing Officer