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In Re Acharya Request for  
Investigation

Case No. 77-14-I

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DECISION

**OFFICIAL**

Before: DEWITT, Chairperson, WILSON, WARREN and HESSERT, Board Members  
(MORGAN, Board Member, dissenting)

Nature of the Case

This is a request for the Personnel Board to investigate pursuant to Section 16.05(4), Wis. Stats., the termination of a limited term employee.

Decision

Ms. Acharya and another woman were employed as Clerks 3 on a limited term employment basis for the Welfare Enumeration project sometime in April, 1976. By letter dated January 24, 1977, Ms. Acharya's employment was terminated effective January 31, 1977. The other woman apparently was retained as a Clerk 3 LTE. Ms. Acharya alleges that during the course of her employment she was subjected to continued harrassment by her fellow workers because of her sex and/or nationality and that her termination was the result of such harrassment.

Respondent alleges that Ms. Acharya was terminated because of a reduction in the workload and because of a management determination that the other employee in LTE status was more able than she. He further alleges that this request for investigation raises no broad and important policy issues as required under our decision in Schwarz v. Schmidt, Case No. 74-18 (January 17, 1976) and its successors.

Section 16.05(4), Wis. Stats., provides this Board with the discretionary authority to investigate "all matters touching the enforcement and effect of [Subchapter II of Chapter 16] and rules prescribed thereunder." Section 16.01(2),

Wis. Stats., provides in part that one of the goals of this state's civil service system is to assure that the state "bases the treatment of its employes upon the relative value of each employe's services and his demonstrated competence and fitness." The allegations raised by Ms. Acharya are serious, especially since the alleged harrassment was of a very personal nature relating to her sex and ethnic background. These allegations, if true, imply that she was not treated in a manner prescribed by the above cited passage. Therefore, this case should be set for evidentiary hearing to determine the truth of the matters asserted.

Order

IT IS HEREBY ORDERED that the request for investigation is granted.

Dated

July 22, 1977

STATE PERSONNEL BOARD

  
Laurene DeWitt, Chairperson