

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

SHYKIRA SANDERS, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0509

Case Type: PA

DECISION NO. 39423-B

Appearances:

Shykira Sanders, 3045 86th Street, Apt. 207, Sturtevant, Wisconsin, appearing on her own behalf.

William Ramsey, Attorney, Wisconsin Department of Administration, P. O. Box 7864, Madison, Wisconsin, appearing on behalf of the State of Wisconsin Department of Corrections.

ORDER CONFIRMING DECISION AND ORDER

On May 19, 2022, the Wisconsin Employment Relations Commission issued a Decision and Order in the above-captioned matter that determined the State of Wisconsin Department of Corrections (DOC) had just cause to discharge Shykira Sanders. On June 6, 2022, Sanders filed a Petition for Rehearing asserting among other matters that an exhibit upon which the Commission relied when reaching its determination was incomplete and that DOC had intentionally failed to provide the complete exhibit. The parties thereafter submitted written argument-the last of which was received June 29, 2022.

Having considered the matter, the Commission, by an Order dated July 5, 2022, granted the Petition for the limited purpose of allowing the parties to present all relevant evidence as to when and how the exhibit in question was obtained by DOC and as to what the exhibit consisted of at the time the exhibit was obtained. Following receipt of that evidence, the Commission concluded it would then determine what, if any, changes should be made in the existing Decision and Order.

DOC subsequently provided a copy of an email which DOC contends is how it received the exhibit in question. DOC did not identify who the email was from because it asserted that the sender feared retaliation from Sanders and asked that they not be identified. Sanders initially requested that a hearing be held to determine if DOC employee Cruz was the sender but later withdrew that request.

Having considered the matter further, the Commission concludes that there is no persuasive basis for modifying the Decision and Order issued on May 19, 2022.

NOW, THEREFORE, it is

ORDERED

The May 19, 2022 Decision and Order is confirmed.

Issued at Madison, Wisconsin, this 26th day of August, 2022.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman