

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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SASHA STRAKA, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION, Respondent.

Case ID: 446.0037

Case Type: PA

DECISION NO. 39454

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**Appearances:**

Sasha Straka, 1605 E. Wells Street, #107, Prairie du Chien, Wisconsin, appearing on her own behalf.

William Ramsey, Attorney, 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 Transportation.

**DECISION AND ORDER GRANTING MOTION TO DISMISS APPEAL**

On May 24, 2022, Sasha Straka filed an appeal with the Wisconsin Employment Relations Commission asserting she had been suspended for five days without just cause by the State of Wisconsin Department of Transportation (DOT). On June 16, 2022, DOT filed a motion to dismiss the appeal asserting that Straka had not timely filed a complaint with DOT. Straka was asked to file any response to the motion by June 27, 2022, but did not file a response

Having considered the matter, the Commission concludes that Straka did not timely file a Step 1 complaint within 14 calendar days of her receipt of the suspension.

NOW, THEREFORE, it is:

**ORDERED**

The motion to dismiss is granted and the appeal is dismissed.

Issued at the City of Madison, Wisconsin, this 2nd day of August, 2022.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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James J. Daley, Chairman

**MEMORANDUM ACCOMPANYING DECISION AND ORDER**  
**GRANTING MOTION TO DISMISS APPEAL**

Section 230.445(3)(a) 1., Stats. provides:

To commence the grievance process for an adverse employment action, an employee shall file a complaint with the employee's appointing authority challenging the adverse employment decision against the employee no later than 14 days after the employee becomes aware of, or should have become aware of, the decision that is the subject of the complaint.

Here, it is undisputed that Straka received her suspension on March 15, 2022 but did not file her complaint until April 6, 2022.

Section 230.445 (3)(c) 1., Stats. provides in pertinent part:

If a procedural requirement was not met by the employee or if the appointing authority's appeal under this paragraph was not made in a timely manner, the commission shall dismiss the appeal.

Because Straka did not file her complaint with DOT within 14 days of receipt of the suspension, the appeal must be dismissed.

Issued at the City of Madison, Wisconsin, this 2<sup>nd</sup> day of August, 2022.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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James J. Daley, Chairman