

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

RAQUELLE SOLON, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0724

Case Type: PA

DECISION NO. 40859

Appearances:

Raquelle Solon, 587 E. Hyland Street, Juneau, Wisconsin, appearing on her own behalf.

Nicole M. Porter, 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 Corrections.

DECISION AND ORDER GRANTING MOTION TO DISMISS

On March 5, 2025, Raquelle Solon filed an appeal with the Wisconsin Employment Relations Commission disputing her discharge. On March 6, 2025, DOC filed a motion to dismiss asserting that the Commission does not have jurisdiction over the appeal. On March 14, 2025, Solon filed a response to DOC's motion.

Having reviewed the matter, the Commission concludes that it does not have jurisdiction over the appeal.

NOW, THEREFORE, it is:

ORDERED

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

Issued at the City of Madison, Wisconsin, this 27th day of March 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman

MEMORANDUM ACCOMPANYING DECISION AND ORDER
GRANTING MOTION TO DISMISS

Solon was hired as a Staff Development Program Specialist-Senior with the Department of Corrections, Division of Management Services, Bureau of Training and Staff Development, effective April 22, 2024. The Staff Development Program Specialist-Senior position was an original appointment, and Solon was required to serve a twelve-month original probationary period, ending on April 21, 2025.

On January 24, 2025, Solon was formally notified that her probationary employment as a Staff Development Program Specialist-Senior was being terminated because her job performance did not meet the expectations of the position, effective January 24, 2025.

Solon's status as a probationary employee means she lacks the "permanent status in class" necessary to appeal a discharge decision. *See* Wis. Stat. § 230.44(1)(c). While serving a period of initial probation, there is no provision limiting the termination of the employment to circumstances of "just cause." *See* Wis. Stat. § 230.34(1)(a). Furthermore, Wis. Admin. Code § ER 1.02 sets forth that an employee dismissed during this period never acquires "the rights and privileges attained upon successful completion of a probationary period" and Wis. Stat. § 230.28(1)(a) provides that a State employee on probation may be "dismiss[ed] . . . at any time."

Given all of the foregoing, the Commission concludes that it does not have jurisdiction to review the merits of the claims Solon has raised in her appeal. Therefore, the motion to dismiss has been granted and the appeal dismissed.

Issued at the City of Madison, Wisconsin, this 27th day of March 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

James J. Daley, Chairman