

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

LEWIS GRIER, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0790
Case Type: PA

DECISION NO. 41252

Appearances:

Lewis Grier, no mailing address given, appearing on his own behalf.

Eric Muellenbach, Attorney, Department of Corrections, 3099 E. Washington Avenue, Madison, Wisconsin, appearing on behalf of the State of Wisconsin Department of Corrections.

DECISION AND ORDER DISMISSING APPEAL

On July 7, 2025, Lewis Grier filed an appeal with the Wisconsin Employment Relations Commission asserting he was not being selected for a Correctional Officer position with the State of Wisconsin Department of Corrections (DOC). On July 15, 2025, DOC filed an email stating the appeal should be dismissed as untimely filed. Grier filed a response on July 16, 2025, and the DOC filed a reply on July 17, 2025.

Having considered the matter, the Commission is satisfied that the appeal should be dismissed.

NOW, THEREFORE, it is:

ORDERED

The appeal is dismissed.

Issued at the City of Madison, Wisconsin, this 10th day of November 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Peter G. Davis, Chairman

MEMORANDUM ACCOMPANYING DECISION AND ORDER
DISMISSING APPEAL

Pursuant to the appeal procedures found in Wis. Stat. § 230.44 (1)(d), “A personnel action after certification which is related to the hiring process in the classified service and which is alleged to be illegal or an abuse of discretion may be appealed to the commission.” And pursuant to the time limits found in Wis. Stat. § 230.44(3) “Any appeal filed under this section may not be heard unless the appeal is filed within 30 days after the effective date of the action, or within 30 days after the appellant is notified of the action, whichever is later . . .”

Here, Grier was notified that he was not being selected for a DOC Correctional Officer position on May 29, 2025. Grier filed his appeal with the Wisconsin Employment Relations Commission on July 7, 2025-well after the 30 day time limit for filing a timely appeal had expired. Grier’s assertion that his untimely filing should be excused because he was transitioning between phones is not found to be persuasive,

Therefore, the appeal in this matter has been dismissed as untimely filed.

Issued at the City of Madison, Wisconsin, this 10th day of November 2025.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Peter G. Davis, Chairman