

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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BRANDELIA WRIGHT, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0773

Case Type: PA

DECISION NO. 41256

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Appearances:

Brandelia Wright, 1300 N. Vel R. Phillips Ave., Milwaukee, Wisconsin, appearing on her own behalf.

Eric Muellenbach, Attorney, Department of Corrections, 3099 East Washington Ave., PO Box 7925, Madison, Wisconsin, appearing on behalf of the State of Wisconsin Department of Corrections.

**DECISION AND ORDER**

On June 2, 2025, Brandelia Wright filed an appeal with the Wisconsin Employment Relations Commission regarding her non-selection by the State of Wisconsin Department of Corrections (DOC) for a position as Correctional Officer.

Wright and DOC thereafter filed written argument in the matter – the last of which was received August 27, 2025.

Having considered the matter, the Commission makes and issues the following:

**FINDINGS OF FACT**

1. Brandelia Wright, herein Wright, applied to be a Correctional Officer employed by the State of Wisconsin Department of Corrections (DOC).

2. Part of the DOC hiring process requires applicants to list “any known associates (acquaintances, friends or relatives) currently incarcerated or under the supervision of the Wisconsin Department of Corrections.” Wright did not list five individuals who were “acquaintances, friends or relatives” currently incarcerated or under the supervision of DOC—including a brother and a person with whom she had a child. DOC ended its consideration of Wright’s application because she failed to list those five individuals.

3. Wright knew that at least some of the five individuals she failed to list had been incarcerated or under the supervision of DOC. Wright did not try to determine if any of those individuals were still incarcerated or under the supervision of DOC.

Based on the above and foregoing Findings of Fact, the Commission makes and issue the following:

### **CONCLUSIONS OF LAW**

1. The Wisconsin Employment Relations Commission has jurisdiction over this matter pursuant to Wis. Stat. § 230.44(1)(d).

2. Brandelia Wight had an obligation to try to determine if any of the individuals she failed to list were still incarcerated or under the supervision of the Wisconsin Department of Corrections.

3. The decision of the State of Wisconsin Department of Corrections to end its consideration of Brandelia Wright's application was not illegal or an abuse of discretion within the meaning of Wis. Stat. § 230.44(1)(d).

Based on the above and foregoing Findings of Fact and Conclusions of Law, the Commission makes and issues the following

### **ORDER**

The appeal filed by Brandelia Wright is dismissed.

Issued at Madison, Wisconsin, this 14<sup>th</sup> day of November 2025.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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Peter G. Davis, Chairman

**MEMORANDUM ACCOMPANYING DECISION AND ORDER**

This case is before the Commission under authority provided in Wis. Stat. § 230.44(1)(d), on the basis of Appellant's allegation that DOC's decision to end its consideration of her application to be a Correctional Officer violated the law and/or was an abuse of discretion.

Section 230.44(1)(d), Stats., provides in relevant part: (d) Illegal action or abuse of discretion. A personnel action after certification which is related to the hiring process in the classified civil service and which is alleged to be illegal or an abuse of discretion may be appealed to the Commission.

In *Zeiler v. Department of Corrections*, Dec. No. 31107-A (WERC, 12/04), the Commission stated that *Neldaughter v. DHFS*, Case No. 96-0054-PC (Pers. Comm. 2/14/97) summarizes the Commission's interpretation of "abuse of discretion" as follows:

An "abuse of discretion" is "a discretion exercised to an end or purpose not justified by, and clearly against reason and evidence." *Lundeen v. DOA*, Case No. 79-0208-PC (Pers. Comm. 6/3/81). As long as the exercise of discretion is not "clearly against reason and evidence," the commission may not reverse an appointing authority's hiring decision merely because it disagrees with that decision in the sense that it would have made a different decision if it had substituted its judgment for that of the appointing authority. (Citations omitted)

Here, there is no dispute over whether DOC can legitimately ask applicants to list those acquaintances, friends or relatives currently incarcerated or under DOC supervision. Rather, Wright asserts she did not list five such individuals because she did know their current DOC status and thus they were not "known" within the meaning of the application question. Assuming Wright did not know their current status, she did know at least some of the five had previously been incarcerated or under DOC supervision. Given that knowledge, the Commission is satisfied that Wright had an obligation to try to determine their current status. Given her failure to do so and her resultant failure to list the five individuals, the Commission concludes it was not illegal or an abuse of discretion for DOC to end its consideration of her application.

Therefore, her appeal is dismissed.

Issued at the City of Madison, Wisconsin, this 14<sup>th</sup> day of November 2025.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

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Peter G. Davis, Chairman