

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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MATTHEW LANE, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0841

Case Type: PA

DECISION NO. 41289

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Appearances:

Amy Mastricola, appearing on behalf of Matthew Lane.

Nicole 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**

On October 30, 2025, Matthew Lane (Lane) filed an appeal with the Wisconsin Employment Relations Commission asserting that he had been suspended for five-days without just cause by the State of Wisconsin Department of Corrections (DOC). The appeal was assigned to Commission Examiner Katherine Scott Lisiecki.

A hearing was held via Zoom on January 9, 2026, by Examiner Lisiecki. The parties made oral closing arguments at the end of the hearing. On January 23, 2026, Examiner Lisiecki issued a Proposed Decision and Order, affirming the five-day suspension of Lane by the DOC. On January 27, 2026, Lane filed objections to the Proposed Decision. On February 2, 2026, DOC filed a response to the objections, and the matter became ripe for Commission consideration on February 3, 2026.

Being fully advised on the premises and having considered the matter, the Commission makes and issues the following:

**FINDINGS OF FACT**

1. Matthew Lane (Lane) is employed by the State of Wisconsin Department of Corrections (DOC), as a correctional sergeant at Redgranite Correctional Institution (RGCI). He had permanent status in class when he was suspended.
2. On January 18, 2025, Lane recorded that a security round was conducted, despite knowing that the required round had not been conducted.
3. Following an investigation, the DOC suspended Lane for five days for negligence and falsifying records.

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

**CONCLUSIONS OF LAW**

1. The Wisconsin Employment Relations Commission has jurisdiction over this appeal pursuant to Wis. Stat. § 230.44 (1)(c).
2. The State of Wisconsin Department of Corrections had just cause within the meaning of Wis. Stat. § 230.34(1)(a) to suspend Matthew Lane for five days.

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

**ORDER**

The five-day suspension of Matthew Lane by the State of Wisconsin Department of Corrections is affirmed.

Issued at Madison, Wisconsin, this 6<sup>th</sup> day of February 2026.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by: Peter G. Davis**

Peter G. Davis, Chairman

**MEMORANDUM ACCOMPANYING DECISION AND ORDER**

Section 230.34(1)(a), Stats., provides in pertinent part the following as to certain employees of the State of Wisconsin:

An employee with permanent status in class ... may be removed, suspended without pay, discharged, reduced in base pay or demoted only for just cause.

Section 230.44(1)(c), Stats., provides that a State employee with permanent status in class:

may appeal a demotion, layoff, suspension, discharge or reduction in base pay to the commission ... if the appeal alleges that the decision was not based on just cause.

Matthew Lane had permanent status in class at the time of his suspension and his appeal alleges that the suspension was not based on just cause.

The State has the burden of proof to establish that Lane was guilty of the alleged misconduct and that the misconduct constitutes just cause for the discipline imposed. *Reinke v. Personnel Bd.*, 53 Wis.2d 123 (1971); *Safransky v. Personnel Bd.*, 62 Wis.2d 464 (1974).

Matthew Lane (Lane) is employed by the State of Wisconsin Department of Corrections (DOC), as a correctional sergeant at Redgranite Correctional Institution (RGCI). On January 18, 2025, Lane was working as the correctional sergeant on the restricted housing unit (RHU). Per RGCI policy, rounds must be conducted twice per hour on the RHU. Lane recorded in the RHU logbook that a security round was conducted at 5:10 a.m. by correctional officer Chris Christiansen. However, no round was completed by any staff member. In fact, video shows that no staff member left the bubble from 4:49 a.m. until 5:37 a.m.

Lane argues that he reasonably believed rounds were completed. However, during the hearing, he testified that he was present in the bubble from 4:49 a.m. until 5:37 a.m. Lane testified that, during that time period, he did not see Christiansen leave the bubble. Further, as sergeant, Lane would have been responsible for allowing staff to enter and exit the bubble to conduct rounds. Lane's contention that he was so involved with paperwork that he did not notice staff entering or leaving the bubble is simply not credible.

Lane further argues that he was not negligent, because an employee cannot be found to be negligent unless their negligence resulted in an adverse outcome. However, the Commission has consistently held that an employee's behavior is negligent if it creates a substantial risk to inmates, employees, or institutional safety. *See Goehl v. DOC*, Dec. No. 40227 (WERC, 12/23); *Vix v. DOC*, Dec. No. 40928-A (WERC, 9/25); *Martinez v. DOC*, Dec. No. 40946 (9/25). An adverse outcome is not required to hold an employee responsible for his or her negligence.

Lane has no previous discipline, and this five-day suspension represents a two-step skip in progressive discipline. However, the skip is justified because of the egregiousness of Lane's conduct. RGCW Warden Daisy Chase testified that it is essential that rounds are conducted every thirty minutes on the RHU in order to ensure that inmates are not in psychological or medical distress. This, Chase testified, is a clear expectation regarding DOC employees' most basic function: maintaining inmate safety and security. As a sergeant, Lane was responsible for directing other RHU staff. As a lead worker, he bore greater responsibility for what happened on the RHU. Instead of fulfilling these duties, Lane allowed his staff to sit in the bubble for nearly an hour without completing any rounds and then falsified agency documents to conceal his negligence. Lane's falsification and negligence justify the two-step skip in progressive discipline. Therefore, Lane's five-day suspension is affirmed.

Issued at the City of Madison, Wisconsin, this 6<sup>th</sup> day of February 2026.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by: Peter G. Davis**

Peter G. Davis, Chairman