

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

NIRDIP DULAI, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0838

Case Type: PA

DECISION NO. 41307

Appearances:

Nirdip Dulai, 48 S. Green Bay Road, Mount Pleasant, Wisconsin, appearing on his 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 Corrections.

DECISION AND ORDER

On October 21, 2025, Nirdip Dulai filed an appeal with the Wisconsin Employment Relations Commission asserting that he had been suspended for one-day without just cause by the State of Wisconsin Department of Corrections. The appeal was assigned to Commission Examiner Katherine Scott Lisiecki.

On September 16, 2025, pursuant to Wis. Stat. § 227.46(3)(a), Examiner Lisiecki was given final authority to issue the Commission's decision.

A hearing was held via Zoom on January 6, 2026, by Examiner Lisiecki. The parties made oral closing arguments at the end of the hearing.

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

FINDINGS OF FACT

1. Nirdip Dulai (Dulai) is employed by the State of Wisconsin Department of Corrections (DOC), as a correctional security director at Racine Youthful Offender Correctional Facility (RYOCF). He had permanent status in class when he was suspended.

2. In May or early June 2024, an inmate was placed on mail monitoring after making threats to public officials. Dulai failed to ensure an incident or conduct report was generated.
3. The inmate was issued a conduct report for making violent white nationalist remarks, but Dulai failed to ensure that proper security threat group affiliation was documented.
4. The inmate was transferred to a different institution, but Dulai failed to ensure that mail monitoring was transferred along with the inmate.
5. Following an investigation, the DOC suspended Dulai for one day for negligence.

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 Nirdip Dulai for one day.

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

ORDER

The suspension of Nirdip Dulai by the State of Wisconsin Department of Corrections is affirmed.

Issued at Madison, Wisconsin, this 17th day of February 2026.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Electronically signed by: Katherine Scott Lisiecki
Katherine Scott Lisiecki, Hearing Examiner

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.

Nirdip Dulai 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 Dulai 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).

Nirdip Dulai (Dulai) is employed by the State of Wisconsin Department of Corrections (DOC), as a correctional security director at Racine Youthful Offender Correctional Facility (RYOCF). In May or early June 2024, Dulai was notified that an inmate made threats to public officials. As a result, the inmate was placed on mail monitoring. However, Dulai failed to ensure an incident or conduct report was generated. The inmate was transferred to Dodge Correctional Institution (DCI) and then to Green Bay Correctional Institution (GBCI), but Dulai failed to ensure that mail monitoring was transferred along with the inmate. The inmate had also been issued a conduct report in early 2024 for making violent white nationalist remarks, but Dulai failed to ensure that proper security threat group (STG) affiliation was documented.

Dulai argues that, as security director, he was not solely responsible for ensuring that an incident or conduct report was written, since these tasks can be delegated to social workers. However, Dulai admitted in his investigatory interview that he oversees incident and conduct reports, and that an incident report should have been completed. *See Exhibit R-6*, pgs. 7, 8, 15. As a supervisor, Dulai was responsible for ensuring that these security functions were properly completed.

Dulai argues that there is no policy requiring mail monitoring to follow an inmate to a successive institution. Corrections investigator Joe Soneberg testified that he could not find a policy requiring mail monitoring to be forwarded to the next facility. However, Dulai admitted in his investigatory interview that mail monitoring should be transferred with inmates. *See Exhibit R-6*, pg. 13. Further, the Commission has previously held that, in some situations, it is impossible to articulate every different scenario that employees could encounter in the course of their duties,

but this does not excuse employees from the expectation that they will complete those duties diligently and comprehensively. *See Heisler v. DOC*, Dec. No. 40692-C (WERC, 12/2024). As security director, Dulai should have understood the importance of alerting successive institutions about the need to monitor an inmate's mail, in order to protect the public and maintain institutional safety.

Dulai has no previous discipline. However, the threats the inmate made to public officials were violent and disturbing, and Dulai was negligent in failing to properly document them and failing to ensure that successive institutions would be able to prevent such actions in the future. Therefore, there was just cause for a one-day suspension and the suspension is affirmed.

Issued at the City of Madison, Wisconsin, this 17th day of February 2026.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Electronically signed by: Katherine Scott Lisiecki

Katherine Scott Lisiecki, Hearing Examiner