

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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DELTA STICKFORT, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0863

Case Type: PA

DECISION NO. 41433

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Appearances:

Cindy Irwin, 475 Courtland Avenue, Oshkosh, Wisconsin, appearing on behalf of Delta Stickfort.

David G. Makovec, Attorney, Department of Administration, 101 East 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 December 22, 2025, Delta Stickfort filed an appeal with the Wisconsin Employment Relations Commission asserting she had been suspended for one day without just cause by the State of Wisconsin Department of Corrections (DOC). The matter was assigned to Commission Examiner Anfin J. Wise.

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

A Zoom hearing was held on March 5, 2026, by Examiner Wise. Stickfort filed a written closing argument on March 16, 2026. On March 18, 2026, the Respondent submitted a written closing argument, whereupon the record was closed.

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

**FINDINGS OF FACT**

1. Delta Stickfort (Stickfort) is employed by the State of Wisconsin Department of Corrections (DOC) as a Correctional Sergeant at Prairie du Chien Correctional Institution (PDCI), and she had permanent status in class at the time of her suspension.

2. The DOC is a state agency responsible for the operation of various correctional facilities including PDCI, a minimum-security facility located in Prairie du Chien, Wisconsin.

3. On June 5, 2025, Stickfort overheard an inmate say something to the effect of “now I got some pills to pop,” and then observed him possibly throw something into his mouth and drink water afterwards. Stickfort reported the observations to a supervisor approximately 90 minutes later.

4. Stickfort was negligent in her duties by failing to ensure the inmate’s safety or failing to notify a supervisor immediately.

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 Delta Stickfort 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 one-day suspension of Delta Stickfort by the State of Wisconsin Department of Corrections is affirmed.

Issued at Madison, Wisconsin, this 16<sup>th</sup> day of April 2026.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by Anfin J. Wise**

Anfin J. Wise, Hearing Examiner

**MEMORANDUM ACCOMPANYING DECISION AND ORDER**

Section 230.34(1)(a), Stats., states in pertinent part:

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.

Delta Stickfort had permanent status in class at the time of her suspension and her appeal alleges that the suspension was not based on just cause.

The State has the burden of proof to establish that Stickfort was guilty of the alleged misconduct and whether 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).

On June 5, 2025, Stickfort overheard, in passing, an inmate stating something to the effect of “now I got some pills to pop,” then observed a mimicking motion of throwing something into his mouth and drink water. At the time, Stickfort was busy performing rounds and did not take immediate action to address the incident. Approximately 90 minutes later, Stickfort reported her observations to a supervisor. As a Sergeant, Stickfort should have taken action and ensured the inmate’s safety or reported her observations to a supervisor immediately. Taking pills may be a potential act of self-harm and her delay in report did not allow a prompt response to a potential risk or medical emergency. By failing to act immediately, Stickfort was negligent in her duties. Thus, misconduct has been established.

We now turn to Stickfort’s defense. Stickfort asserts that she did not believe the inmate’s behavior was a suicidal situation. He appeared to be joking with a playful demeanor and did not appear to be in crisis at the time. However, at the hearing, Warden Jaeger credibly testified that staff are to treat every scenario as serious in order to ensure the Department is acting promptly to any claim of self-harm. Even if the comments and actions were perceived as a joke, staff should err on the side of caution and report it immediately. This is not an unreasonable employer expectation. Therefore, we reject Stickfort’s argument.

Turning now to a just cause consideration of the level of discipline Stickfort received. The Commission finds that Stickfort’s misconduct does provide just cause for progressive discipline and the imposition of a one-day suspension. It is expressly noted that a one-day is the first step in the progressive disciplinary schedule. Therefore, the one-day suspension is affirmed.

Issued at Madison, Wisconsin, this 16<sup>th</sup> day of April 2026.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by Anfin J. Wise**

Anfin J. Wise, Hearing Examiner