

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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STEPHANIE VAN BUREN, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS, Respondent.

Case ID: 1.0876

Case Type: PA

DECISION NO. 41434

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Appearances:

Stephanie Van Buren, 116 E. Lincoln St., Waupun, Wisconsin, appearing on her own behalf.

Nicole Porter, 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 January 14, 2026, Stephanie Van Buren filed an appeal with the Wisconsin Employment Relations Commission asserting she had been discharged without just cause by the State of Wisconsin Department of Corrections (DOC). The appeal was assigned to Commission Examiner Cara Larson.

A Zoom hearing was held on March 19, 2026, by Examiner Larson. The parties made oral arguments at the conclusion of the hearing. On April 15, 2026, Examiner Larson issued a Proposed Decision and Order affirming the discharge of Stephanie Van Buren by the DOC. No objections were filed by the parties and the matter became ripe for Commission consideration on April 21, 2026.

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

**FINDINGS OF FACT**

1. Stephanie Van Buren (Van Buren) was employed by the State of Wisconsin Department of Corrections (DOC) as Correctional Officer at Dodge Correctional Institution and had permanent status in class at the time of his discharge.

2. The DOC is a state agency responsible for the operation of various corrections facilities including Dodge Correctional Institution, located in Waupun, Wisconsin.

3. On May 5, 2025, Van Buren raised her voice, used profane language, and was unprofessional when interacting with an inmate which escalated the situation, she also stated that the inmate would not be allowed to speak to a “fucking white shirt.” Staff later observed Van Buren laughing about the inmate being tased.

4. The DOC discharged Van Buren from employment on December 1, 2025, for misconduct referenced in Finding of Fact 3.

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 to review 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 discharge Stephanie Van Buren.

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

### **ORDER**

The discharge of Stephanie Van Buren by the State of Wisconsin Department of Corrections is affirmed.

Issued at Madison, Wisconsin, this 8<sup>th</sup> day of May 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.

Stephanie Van Buren had permanent status in class at the time of her discharge and her appeal alleges that the discharge was not based on just cause.

The State has the burden of proof to establish that Green 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).

Department Work Rule #14 prohibits intimidating, interfering with, harassing, demeaning, treating discourteously, or bullying; or using profane or abusive language in dealing with others.

On May 5, 2025, Van Buren engaged in profane, unprofessional, and discourteous conduct toward an inmate. An inmate sought to take a shower and attend chapel. A dispute arose regarding whether the inmate could both shower and attend chapel. Van Buren determined that the inmate could not do both. The inmate then requested to speak with a supervisor (“white shirt”). Van Buren told the inmate that he would not be able to speak to a “fucking white shirt.”

The evidence shows that Van Buren raised her voice, used profanity, and communicated in a way that was unprofessional and escalated the situation. The inmate testified that he was attempting to take a shower and attend chapel when he was told he could not do both. He stated that during his interaction with Van Buren, she “went off on him”, and described this as yelling and using profanity, including statements such as “what the fuck are you doing” and that he should have taken his “fucking shower.” He stated that he asked to speak with a “white shirt” because he felt he was being treated disrespectfully. He further testified that when he asked why she was yelling and cussing at him, she denied doing so. The inmate testified that Van Buren’s conduct caused him to become frustrated and upset, which led to the situation escalating. He denied being initially disruptive and stated that he only became agitated after the interaction. The incident ultimately resulted in staff using a taser on him, after which he was taken to segregation. Officer Zevik credibly testified that Van Buren stated the inmate would not be allowed to speak to a “fucking white shirt.” This testimony aligns with other witness observations and with video evidence showing the inmate becoming increasingly upset after the interaction. Van Buren denied

using profanity, but that denial is outweighed by the consistent and more credible testimony of other witnesses.

Van Buren's behavior after the incident is also concerning and unprofessional. Multiple witnesses, including Sergeant Moore and Officer Moeller, reported that she laughed about the inmate being tased and made light of the situation. Laughing about a use-of-force incident is not consistent with the level of professionalism expected of correctional staff. The Department therefore proved that Van Buren engaged in misconduct.

Turning now to a just cause consideration of the level of discipline Van Buren received. The Department followed progressive discipline, and Van Buren had several prior disciplinary actions for similar unprofessional behavior, including violations of Work Rule 14. She received a three-day suspension on January 9, 2025, for serious misconduct, including using a racial slur; a written reprimand in lieu of a three-day suspension on February 21, 2025; and a five-day suspension on May 28, 2025, for using profanity in an interaction with inmates. This history shows a pattern of similar conduct and put Van Buren on notice that her behavior needed to change or more serious discipline could follow. Despite that, she again engaged in unprofessional conduct. Termination is the next step in the progressive disciplinary schedule. Therefore, the termination is affirmed.

Issued at Madison, Wisconsin, this 8<sup>th</sup> day of May 2026.

**WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by Peter G. Davis**

Peter G. Davis, Chairman