

STATE OF WISCONSIN  
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

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MACARTHUR STRAWDER, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF HEALTH SERVICES, Respondent.

Case ID: 2.0210

Case Type: PA

DECISION NO. 41562

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Appearances:

MacArther Strawder, 2718 N. 57<sup>th</sup> Street, Milwaukee, Wisconsin, appearing on his own behalf.

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 Health Services.

**DECISION AND ORDER**

On May 29, 2025, MacArthur Strawder filed an appeal with the Wisconsin Employment Relations Commission asserting he had been discharged without just cause by the State of Wisconsin Department of Health Services.

A Zoom hearing was held on September 3, 2026, by Commission Chairman Peter G. Davis. The parties made oral argument at the conclusion 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. MacArther Strawder (Strawder) was employed by the State of Wisconsin Department of Health Services (DHS) as the Bureau Director of Milwaukee Enrollment Services, and he had permanent status in class at the time of his discharge.

2. Strawder failed to meet the minimum performance expectations of his Bureau Director position.

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 Health Services had just cause within the meaning of Wis. Stat. § 230.34(1)(a) to discharge MacArthur Strawder.

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

**ORDER**

The discharge of MacArthur Strawder by the State of Wisconsin Department of Health Services is affirmed.

Issued at Madison, Wisconsin, this 21<sup>st</sup> day of September 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., 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.

MacArthur Strawder had permanent status in class at the time of his discharge and his appeal alleges that the discharge was not based on just cause.

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

The evidence establishes that despite receiving specific directives on specific performance changes he needed to make, Strawder did not meet the minimum performance expectations of the Bureau Director position before being discharged in April 2026. The following content of the five-day suspension<sup>1</sup> he received in December 2025 is illustrative of some of the issues that existed as to his job performance.

This letter is official notice of a 5-day suspension without pay for violations of the following State of Wisconsin Work Rules:

- #1; “Falsification of records, knowingly giving false information or knowingly permitting, encouraging or directing others to do so. Failing to provide truthful, accurate and complete information when required.”
- #3; “Disobedience, insubordination, inattentiveness, negligence, failure or refusal to carry out written or verbal assignments, directions, or instructions.”

Specifically, you did not carry out the verbal and written directions you received in your March 2025 PEP, PEP meeting, and later meetings with your manager in 2025. Your manager instructed you in your PEP, and reinforced in verbal conversations throughout 2025, to work within the chain of command, directly with your deputies and not with lower-level staff on relevant MILES business items. Subsequent emails show that you continued to work directly with subordinate staff, circumventing the

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<sup>1</sup> In July 2025, Strawder received a three-day suspension for harassing and intimidating an employee.

chain of command after being directed by your manager not to do so. Additionally, you did not provide truthful, accurate, or complete information when your manager asked you in meetings, including on August 1 and September 26, 2025, if you had been working with subordinate staff outside the chain of command. Your manager asked you if you had been collaborating with a specific Section Manager. You told her that you had not been collaborating directly with lower-level staff on Miles business. You denied working directly with the specific Section Manager on Miles work. Instances of you collaborating outside of the chain of command with the Section Manager, in defiance of the directions from your manager, are evidenced in emails sent/received in April, May, June, July, August, and September 2025.

In response you acknowledged attending multiple meetings with your manager this year in which she told that you must respect the chain of command, work directly with your deputies on Miles business, and not work directly with Section Managers and Supervisors. You agreed that she told you that you must model appropriate behavior for staff regarding respecting the leadership hierarchy at Miles. You agreed that your manager told you that Miles must be led from the top down and not the bottom up. When asked about the specific emails that evidenced you working directly with a Section Manager on Miles business, you said that you worked with the Section Manager on things that didn't rise to the level of your deputies. You said that you work only with your deputies on anything related to quality or operations. When you were shown emails between yourself and the Section Manager regarding quality and operations you dismissed them and said that you copy your deputies on everything that is relevant. You said that there is unfair scrutiny on your relationship with the Section Manager because of rumors and gossip that circulated before you started at Miles. You said the Section Manager often sent you emails throughout the year for you to proofread. When asked if you were dishonest when you told your manager that you don't work with the Section Manager on Miles business, you said that you thought your manager was only asking about work items related to the PHE Unwinding

In summary, Strawder was given ample opportunity to improve his performance and was given very detailed directives as to how he could do so. He failed to comply with those directives and was never able to meet the minimum performance expectations of his Bureau Director position. Therefore, the record clearly establishes his misconduct and, particularly in light of the three- and five-day suspensions he had previously received, there was just cause for his discharge. Thus, the discharge is affirmed.

Issued at Madison, Wisconsin, this 21<sup>st</sup> day of September 2026.

## **WISCONSIN EMPLOYMENT RELATIONS COMMISSION**

**Electronically signed by Peter G. Davis**

Peter G. Davis, Chairman