

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

ROBERT WRIGHT, Appellant,

vs.

STATE OF WISCONSIN DEPARTMENT OF HEALTH SERVICES, Respondent.

Case ID: 2.0209

Case Type: PA

DECISION NO. 41565

Appearances:

Robert Wright, 207 Randolph St. Burlington, Wisconsin, appearing on his 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 Health Services.

DECISION AND ORDER

On May 2, 2026, Robert Wright filed an appeal with the Wisconsin Employment Relations Commission asserting he had been demoted without just cause by the State of Wisconsin Department of Corrections. The appeal was assigned to Commission Hearing Examiner Cara J. Larson. On May 25, 2026, pursuant to Wis. Stat. § 227.46(3)(a), Examiner Larson was granted final authority to issue the Commission's decision.

A Zoom hearing was held on July 22 and August 5, 2026, by Examiner Larson. The parties made oral arguments 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. Robert Wright (Wright) was employed by the State of Wisconsin Department of Health Services (DHS) as a Resident Care Unit Supervisor at the Southern Wisconsin Center (SWC) in Union Grove, Wisconsin. He had permanent status in class when DHS demoted him to Resident Care Technician-Advanced.

2. On September 9, 2025, a SWC resident sustained an injury of unknown origin. Wright was assigned to investigate the injury. His supervisor, Deputy Director Kathy Blizzard, directed him to interview employees who had contact with the resident and conduct a fact-finding.

3. Wright requested access to surveillance video, but Blizzard did not authorize him to access it. Blizzard offered to review the video with him. Instead, Wright used another employee's credentials to access the surveillance system on multiple occasions. He viewed video, including footage unrelated to the resident's injury, and took screenshots. Wright acknowledged that he did not have permission to access the system.

4. Wright later accessed the surveillance system again and downloaded video for law enforcement. He also provided law enforcement with photographs and documents containing unredacted information identifying residents, including residents other than the resident whose injury he was investigating.

5. Wright contacted the Racine County Sheriff's Office because he believed SWC management was covering up abuse and improperly allowing A.J., whom he believed caused the resident's injury, to continue working. Wright did not notify the Administrator in Charge before contacting the Sheriff's Office or before law enforcement came to SWC. He acknowledged that the Administrator in Charge had authority to remove an employee from the floor.

6. Wright repeatedly accused Blizzard and Facility Director Michelle Bradley-Glenn of lying and covering up abuse. Blizzard described Wright's conduct as unusually loud, angry, animated, and accusatory. Wright acknowledged making the accusations.

7. After an investigation, DHS demoted Wright from Resident Care Unit Supervisor to Resident Care Technician-Advanced based on his conduct described in Findings of Fact 2 through 6.

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 Health Services had just cause within the meaning of Wis. Stat. § 230.34(1)(a) to demote Robert Wright from Resident Care Unit Supervisor to Resident Care Technician-Advanced.

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

ORDER

The demotion of Robert Wright by the State of Wisconsin Department of Health Services is affirmed.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Electronically signed by Cara J. Larson

Cara J. Larson, Hearing Examiner

MEMORANDUM ACCOMPANYING DECISION AND ORDER

Section 230.34(1)(a), Stats., provides 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.

Robert Wright had permanent status in class at the time of his demotion and his appeal alleges that the demotion was not based on just cause.

The State has the burden of proof to establish that Wright 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 Department has established that Wright engaged in misconduct warranting discipline. The evidence shows that Wright was concerned about the resident's safety and sincerely believed that the resident's injury required further investigation. He also believed that A.J. should not continue working with residents. Employees have a duty to report suspected abuse, and Wright was not disciplined for making that report.

The problem was the manner in which Wright pursued his concerns. Blizzard denied Wright independent access to the surveillance video and offered to review it with him. Wright instead used another employee's credentials to access the surveillance system multiple times. He viewed footage, including footage unrelated to the resident's injury, and took screenshots without authorization. He later accessed the system again and downloaded video for law enforcement. Wright acknowledged that he did not have permission to access the system.

Wright's experience in a 2023 investigation does not excuse his conduct. In that matter, IT provided him the video after he requested it and authorized him to possess it. Here, Wright requested access, was denied, and then bypassed that restriction by using another employee's credentials to gain access.

Wright also provided law enforcement with unredacted photographs and documents containing information identifying residents, including residents other than the resident whose injury he was investigating. He did not have authorization to release those materials. Wright believed that the Sheriff's Office was an appropriate authority and testified that he was following the Sheriff's direction when he provided the materials. That belief did not give Wright authority to disregard DHS requirements governing access to and disclosure of resident information.

Wright also bypassed the normal supervisory process when he believed A.J. should be removed from resident contact. He did not notify the Administrator in Charge before contacting the Sheriff's Office, even though the Administrator in Charge had authority to remove A.J. Wright believed Blizzard and Bradley-Glenn were involved in a cover-up. That belief did not excuse his unauthorized access to the surveillance system or disclosing of protected resident information.

Wright reached conclusions about the investigation before it was complete. After learning that A.J. had been in the bathroom with the resident, Wright concluded that A.J. was responsible for the injury. He later repeatedly accused Blizzard and Bradley-Glenn of lying and covering up abuse. Wright acknowledged making those accusations. His concern for the resident helps explain his actions, but it does not excuse his failure to follow the requirements governing his position.

Wright's conduct was directly related to his responsibilities as a supervisor. A supervisor is expected to follow DHS policies and directives, protect resident information, exercise sound judgment, conduct investigations objectively, and maintain professional workplace conduct. Wright's unauthorized use of another employee's credentials, unauthorized access to surveillance footage, disclosure of resident information, and confrontational conduct demonstrated a serious lapse in those responsibilities over a prolonged period of time.

Turning now to a just cause consideration of the level of discipline Wright received. The Department considered Wright's tenure, performance, dedication to residents, and the circumstances surrounding the incident. It considered termination but instead demoted Wright to a nonsupervisory resident care position. That decision recognizes Wright's commitment to residents while addressing the Department's legitimate concern about his judgment and ability to function as a supervisor. A demotion was not disproportionate to the seriousness of the misconduct.

The Department had just cause to involuntarily demote Robert Wright from Resident Care Unit Supervisor to Resident Care Technician–Advanced. The demotion is affirmed.

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

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Electronically signed by Cara J. Larson

Cara J. Larson, Hearing Examiner