

State of Wisconsin

DIVISION OF PERSONNEL MANAGEMENT

- COMPENSATION AND EMPLOYMENT RELATIONS BULLETIN -

Date: October 4, 2017

Locator No. DPM-0449-CER

**Subject: Notification to Employees
Regarding Grievance Rights
Following Discipline**

The purpose of this bulletin is to notify agencies of additional language required to provide employees proper notice of grievance rights following the issuance of discipline.

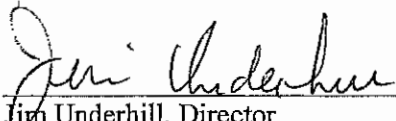
2015 Wisconsin Act 150 (Act 150) modified the grievance process available to employees with permanent status in class, or assistant district attorneys or assistant state public defenders who have served at least 12 months of continuous service in these positions. In summary, these groups of employees may file a grievance related to an adverse employment decision including demotion, suspension, discharge, layoff, or reduction in base pay as described in s. 230.445, Wis. Stats.

To ensure a uniform practice across all agencies when providing employee notice about the grievance process, including the grievance filing deadlines, the following communication is now required in letters issuing employee discipline:

“If you believe that this action is not based on just cause, you may appeal it through the grievance procedure set forth in Wis. Stat. s. 230.445 and the Wisconsin Human Resources Handbook Chapter 430 Employee Grievance Procedure, [if applicable, insert agency grievance policy information]. Grievances must be submitted using the DPM Adverse Employment Action Grievance form (DOA-15802) available on the Division of Personnel Management website at <http://doa.wi.gov/divisions/personnel-management> [if applicable, insert agency link]. The grievance must be received by [insert agency protocol (i.e. where to file)] no later than 14 calendar days from the date you received this letter.

This language will also be included in termination letters including terminations for misconduct, job abandonment, or failure of a performance improvement plan. This language is not required for the termination or discipline of other unclassified employees, probationary employees, project employees, limited term employees, or employees in a collective bargaining unit subject to the provisions of s.111.91(1), Wis. Stats.

Questions regarding this directive may be directed to the Bureau of Compensation and Employment Relations (BCER)

A handwritten signature in cursive script, appearing to read "Jim Underhill", is written over a horizontal line.

Jim Underhill, Director
Bureau of Compensation and Employment Relations

Resources:

WHRH Chapter 410 – Employee Work Rules and Discipline Procedure

WHRH Chapter 430 – Grievance Procedure

DPM Adverse Employment Action Grievance form (DOA-15802)

Section 230.445, Wis. Stats.