

Department of Workforce Development
Secretary's Office
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Scott Walker, Governor
Raymond Allen, Secretary

February 15, 2017

The Honorable Patrick E. Fuller
Chief Clerk of the Wisconsin Assembly
17 West Main St., Suite 401
P O Box 8952
Madison, WI 53708-8952

Dear Mr. Fuller:

Pursuant to Wis. Stat. § 230.89(2), I respectfully submit the Department of Workforce Development's (DWD's) biennial report for the calendar years 2015-2016, regarding the administration and enforcement of Wis. Stat. §§ 230.80 - 230.89(2), also known as the Whistleblower Law.

The report contains an attached spreadsheet which outlines the number of whistleblower complaints filed, accepted, resolved, and that went to hearing. Current status of each complaint is indicated. Additionally, the Equal Rights Division (ERD), which is responsible for enforcing this section, is required by the statute to report the dollar amounts of monetary settlements or final monetary awards. This report includes settlements reached during the time period covered, along with monetary terms identified in the settlements.

Thank you for your attention to this matter. Please don't hesitate to contact me at 608-267-1410 with questions regarding the information contained in this report.

Sincerely,



Raymond Allen
Secretary

Attachments



WHISTLEBLOWER COMPLAINTS - CY 2015-2016

Case Number	Complainant	Respondent	Status	Monetary Terms of Settlements
CR200703230	Leaverton, Catherine	WI Dept. of Veterans Affairs	Initial Determination (ID), No Probable Cause (NPC), sent 1/30/08. Reversed at hearing, found probable cause, 3/10/10. Unsuccessful mediation, then a hearing on the merits held. Decision issued finding No Discrimination, 4/30/14. Appealed to Court, 5/29/14. Remanded. Second hearing decision issued, 12/22/14. Circuit Court found no discrimination, 2015.	
CR200802196	Schigur, Joell	WI Dept. of Justice	Closed as of Dec 2015. Probable Cause found 9/26/08; Discrimination found after hearing, 4/30/12. Appealed to court. Circuit Court reverses, finds no discrimination. Appealed to Supreme Court, which affirmed No Discrimination finding, 12/30/15.	

WHISTLEBLOWER COMPLAINTS - CY 2015-2016

Case Number	Complainant	Respondent	Status	Monetary Terms of Settlement
CR200902498	Smith, James	WI Dept. of Corrections	Closed as of Sept 2015. Probable cause ID issued 3/29/10. Hearing on the merits postponed for settlement discussions. Dismissed, 9/18/15 - private settlement	-\$17,406.95 (\$20,000 minus \$2,593.05 overdrawn leave balance).
CR201104351	Blum, Peter	WI Dept. of Military Affairs	PC ID, issued 10/18/12. Resolved at hearing. Dism-Settled, 6/22/15.	-\$3,000 payment of liquidated damages-\$14,812.85 Attorney fees.
CR201201027	Hemmerling, Candice	UW Colleges	Dismissed - Settled. Closed. (Dism-Settled); settled 05/24/16	-\$50,000 payment
CR201201731	Smith, Julie	WI Dept. of Corrections	Initial Determination, No Probable Cause (ID - NPC). Not appealed. Closed 2/25/15.	
CR201202916	Merhemic, Phil	UW Whitewater	ID-NPC, 4/19/13; appealed. NPC affirmed after hearing, 2/24/15. Appealed to Circuit Court, 3/30/15. Circuit Court remanded 6/13/16. Decision once again affirmed NPC, 10/31/16. No appeal received. Closed 12/20/16.	
CR201300273	Teasley, Nicole	WI Dept. of Health Services	Dism - Settled. Closed. Settled 10/6/15.	-\$12,500 pay

WHISTLEBLOWER COMPLAINTS - CY 2015-2016

Case Number	Complainant	Respondent	Status	Monetary Terms of Settlement
CR201300903	Bethards, Daniel	WI Dept. of Justice	PC ID issued, 10/1/13. No discrimination found at hearing, 12/26/14. Appealed to Circuit Court, 4/14/16. Circuit Court reversed and remanded for hearing. DOJ and DWD appealed this decision to Court of Appeals. Briefed as of June 2016, awaiting opinion.	
CR201302058	Bethards, Daniel	WI Dept. of Justice	See CR201300903	
CR201303023	Bethards, Daniel	WI Dept. of Justice	See CR201300903	
CR201303185	Megonigle, Shane	Ethan Allen School for Boys	NPC ID issued 4/15/2015; not appealed. Closed.	
CR201400829	Roberts, Kimberly	WI Dept. of Corrections	NPC ID issued 7/31/14. Appealed. Dismissed due to lack of jurisdiction, 3/6/15. Not appealed to Circuit Court. Closed.	
CR201400862	Teasley, Nicole	WI Dept. of Health Services	Dism - Settled. Closed. Settled 10/6/15.	-\$12,500 pay
CR201401278	Schneider, Jody	UW Eau Claire	NPC ID issued 8/21/15. Not appealed. Closed.	
CR201402732	Ruotsinoja, Edwin	UW Madison	NPC ID issued 2/4/15. Not appealed.	

WHISTLEBLOWER COMPLAINTS – CY 2015-2016

Case Number	Complainant	Respondent	Status	Monetary Terms of Settlement
CR201403673	Sweeney, Jerome	WI Dept. of Corrections	Preliminary Determination issued, 4/7/15 – complaint filed untimely. Not appealed. Closed.	
CR201500201	Docimo, Frank	WI Dept. of Military Affairs	Case was in mediation until April 2016, when impasse reached. Currently under investigation.	
CR201500431	Dietz, Kurt Charles	WI Dept. of Administration	Dismissed - Settled. Closed. (Dism-Settled)	-Paid Admin Leave up to date of resignation
CR201500497	Adamietz, Rebecca	WI Dept. of Health Services	Dismissed – Not taken	
CR201500883	Ruotsinoja, Edwin	UW-Madison	Investigation	
CR201501284	Kraemer, George	WI Dept. of Corrections	Initial Determination, No Probable Cause (ID – NPC). Not appealed. Closed.	
CR201501765	Weber, Suzanne	WI Dept. of Workforce Development	ID-NPC issued, 10/23/15. Appealed to hearing on issue of probable cause. Hearing postponed at complainant request. Held 9/7/16. Awaiting decision.	
CR201501855	Mauk, Chad	WI Dept. of Corrections	Dismissed – Withdrawn (Dism W/D)	
CR201502119	Gleason, James	WI Dept. of Corrections	Preliminary Determination (PD) – No Jurisdiction	

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Case Number	Complainant	Respondent	Status	Monetary Terms of Settlement
CR201502124	Yadranji Aghdam, Saeed	UW-Madison	ID-NPC	
CR201502333	King, Veronica	WI Dept. of Corrections	Dism-Settled	
CR201502781	Pierce, Fred	UW-La Crosse	PD-No Jurisdiction	
CR201503266	Peetz, Jonathan	WI Dept. of Corrections	PD-No Jurisdiction	
CR201503424	Pasha James, Deborah	WI Dept. of Health Services	Dism-Settled	-\$20,000 pay
CR201503632	Harris, Anthony	WI Dept. of Health Services	PD-Not Timely, 10/5/16. Appealed. Currently at Hearing.	
CR201600218	Yadranji Aghdam, Saeed	UW-Madison	ID-NPC issued 6/29/16. Awaiting hearing on the issue of probable cause.	
CR201600289	Pritchard, David	UW-Milwaukee	Dism-W/D	
CR201600330	Potts, Jennifer	WI Dept. of Health Services	ID-NPC issued 5/24/16. Appealed. Currently awaiting Mediation.	
CR201600411	Bava, Dominic	UW-Madison	Dism-Settled	-\$4,500 pay
CR201600677	Harris, Anthony	WI Dept. of Health Services	ID-NPC issued 10/4/16. Appealed. Awaiting hearing on the issue of probable cause.	
CR201600781	Reynolds, Brian	WI State Fair Park	Dism-W/D	
CR201600792	Breese, Gregory	WI Dept. of Natural Resources	Dism-Settled	-\$19,000 pay -\$11,000 Attorney fees
CR201601706	Wall, Edward	WI Dept. of Justice	Under investigation	

WHISTLEBLOWER COMPLAINTS - CY 2015-2016

Case Number	Complainant	Respondent	Status	Monetary Terms of Settlement
CR201601951	King, Veronica	WI Dept. of Corrections	Dismissed - Not Taken	
CR201602401	Gilboe, Andrew	UW-Madison	PD-Not Timely	
CR201602603	Weber, Suzanne	WI Dept. of Workforce Development	PD-Not Timely, issued 10/12/16. Appealed. Currently awaiting ALJ desk review decision	
CR201602666	Strauss, Gary	UW-Green Bay	Dism - Failed to Cooperate.	
CR201604155	Gilboe, Andrew	UW-Madison	Under investigation	
CR201604284	Weber, Suzanne	WI Dept. of Workforce Development	Under investigation	
CR201604294	Kloth, Karen	WI Dept. of Corrections	Under investigation	
CR201604495	Frey, Keith	Wisconsin Resource Center	Under investigation	
CR201604681	King, Veronica	WI Dept. of Corrections	Under investigation	
CR201604783	Quednau, Veronica	UW Hospitals & Clinics	Under investigation	
CR201604911	King, Veronica	WI Dept. of Corrections	Under investigation	