

## Chapter Pers 23

## DISCIPLINARY ACTIONS

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**Pers 23.01 Provisions.** Disciplinary action against an employe with permanent status in class, by an appointing authority shall be taken in accordance with the provisions of section 16.28 (1), Wis. Stats. The appointing authority shall at the time of the action furnish such employe with a written statement as provided in section 16.28 (1), Wis. Stats., setting forth his reason therefor, the time limitations thereof, and the employe's right of appeal. A copy of such notice to the employe shall be filed with the director within 5 calendar days of the effective date thereof.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72.

**Pers 23.02 Right of appeal.** (1) When any disciplinary action has been taken by an appointing officer and the affected employe alleges that such action was not based on just cause, he or she may appeal such action to the board in the manner specified in section 16.05, Wis. Stats.

(2) When disciplinary action has been taken by an appointing officer, and it is alleged to be illegal, an abuse of discretion or that the provisions of section Pers 23.01 or other provisions of law have not been complied with and such decisions are not subjects for consideration under the grievance procedure, collective bargaining, or hearing by the board, such affected employe may file an appeal to the director as authorized by section 16.03 (4), Wis. Stats.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72.

**Pers 23.03 Disposition on director's appeal.** When an appeal has been made to the director under this chapter or the provisions of section 16.03 (4) Wis. Stats., the director may issue a summary order or, after hearing, may order the action taken to be set aside, voided, modified, amended, or remanded to the appropriate agency as the equitable interests of the parties may appear.

**History:** Cr. Register, October, 1972, No. 202, eff. 11-1-72.