

**Retaliation Complaint  
Whistleblower Law for State of  
Wisconsin Employees  
Section 230.80 Wisconsin Statutes**

For office use only  
ERD Case Number  
CR

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Authorization for this form is provided under Section 230.85(2), Wisconsin Statutes. Completion of this form is voluntary. However, if you wish to file a complaint of retaliation with the Equal Rights Division (ERD), you must submit a written document containing the information sought by this form. This information is used for the purpose of processing your complaint and maintaining the Equal Rights Division's records. Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m), Wisconsin Statutes]

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JAN 30 2013


DWD - EQUAL RIGHTS

**Instructions -- Please Read Before Completing This Form**

- Provide all information requested below. **TYPE OR PRINT IN BLACK INK.**
- You must sign this complaint on **page 2**, and fill out the Process Information Sheet on **page 3** before submitting your complaint to the Equal Rights Division.

**1. Complainant Information:**

**2. Respondent Information:**

<p>Your First Name <b>NICOLE</b></p> <p>Your Middle Name or Initial <b>R</b></p> <p>Your Last Name <b>TEASLEY</b></p> <p>Your Street Address </p> <p>May we call you at work? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Name of Respondent(s) (The agency you believe retaliated against you.) If there is more than one respondent, fill out this box with information about one Respondent. Use a separate sheet of paper to give the same information about the others and attach to this form. <b>WISCONSIN DEPARTMENT OF HEALTH SERVICES</b></p> <p>Respondent Street Address <b>1 WEST WILSON ST</b></p> <p>Respondent City <b>MADISON</b></p> <p>Respondent State <b>WI</b></p> <p>Respondent Zip Code <b>53703</b></p> <p>Respondent Telephone Number (include area code): <b>(608) 261-0653</b></p> <p>County in Wisconsin where you worked: <b>MILWAUKEE</b></p>
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**3. What did you report in writing that you believe is protected by law? (For example: "disclosed information to my supervisor about mismanagement, contacted my legislator about a waste of public funds) Give the date of each action**  
**Disclosed information to my supervisor and MILES Management about mismanagement and abuse of authority occurring in the Division of Health Care Access & Accountability (DHCAA), Milwaukee Enrollment Services (MILES). Timecard theft has been occurring for the past three years and MILES Management has failed to take action to prevent this theft. I have brought this issue to the attention of my supervisors as well as MILES Management on numerous occasions over the past three years. Most recently, this issue was formally reported to my supervisor, HR Bureau Director & Deputy Director on January 10, 2013. I also sent a formal letter to the Deputy Secretary of DHS on January 28, 2013.**

**4. To whom did you disclose information regarding this information?**

Give the name, title and telephone number of the person you contacted. (For example: "Jane Doe, state legislator", "John Forest, my supervisor", etc.) Give the date of each action. What exactly did you say?

Edward Kamin III, MILES Director, [REDACTED]; Vanessa Robertson, MILES Deputy Director, [REDACTED] Miles Managers & Supervisors (multiple); Over the past three years I have brought to the issue of time card discrepancies to these individuals attention. I stated that when supervisors fail to ensure the accuracy of employee timecards before they approve them, they are essentially allowing for timecard theft to be possible as the employee is being paid as if they were working when they are not at work. I've conducted numerous group trainings, sent out reminder emails and discrepancy reports over this time. On January 3, 2013, during a regularly scheduled manager meeting, I raised the issue again. It was after this meeting when the retaliatory acts began.

Jennifer den Daas, my supervisor, (608) 266-0559; Jenny Jirschele, my former supervisor and current Deputy Director for the Bureau of Human Resources (BHR), and Scott Thompson, BHR Director. Approximately 2 years ago, I notified my supervisor at that time, Jenny Jirschele that there was a problem with time card errors at MILES. To my knowledge she took no action on this matter. Then on December 27, 2012, I sent an email to Jenny Jirschele notifying her of the time card issues, specifically FMLA related absences not being accounted for on employee timecards. To my knowledge, she took no action.

On January 10, 2013 I was directed to report for a meeting with my supervisor, the Deputy & Director for BHR. At this meeting I was asked about the timecard discrepancy issues where I stated that over the past three years, I had performed random audits between the daily call in log and the employee time cards. I estimated that there were anywhere from 5 - 20 discrepancies in one period's review that were brought to the attention of the supervisor. About half of the discovered discrepancies would require an adjustment to be made due to the supervisor approving a falsified timecard. During this meeting, I provided my managers with the figure of 57 confirmed timecard discreptancies of the past six months. And then in the first pay period of December when a new attendance process was put into place, where by the supervisors were directed by the MILES Deputy Director to take daily attendance, there were 22 discrepancies. When I notified the management team of these discrepancies on January 3, 2013 via email, they all expected me to "take their word for it" that the timecards were correct. I asked the managers, what then did they used to verify that the timecard was correct if they previously reported on the daily attendance reports that the employee was absent or left early for the day? I was refused any answers to this question.

On January 28, 2013, during a call with my supervisor and the BHR Director, the Director asked me again to explain the timecard discrepancies.

**5. Describe the threat or the employment action(s) your employer took because of what you did (For example: terminated me, disciplined me, demoted me, reduced my hours, etc.) If your employer took more than four employment actions, please describe on a separate sheet of paper and attach to this form.**

**a. First employment action:**

My Supervisor directed me to "stop all involvement in the timekeeping auditing that (I) have been doing over the past few months with regard to the attendance policy and vacation scheduling. This includes monitoring ptaweb and the attendance reporting logs for discrepancies, as well as following up on missing attendance forms for vacation" In addition, she never responded to a follow-up question I had in regards to this directive.

Date taken:  
1/17/13

**b. Second employment action:**

MILES Director revised the Attendance Reporting & Vacation Scheduling Procedures therefore eliminating any involvement in the process from me. These policies were approved by him just a couple of months earlier in which he was thankful I was willing to take on the work load involved with the process. Therefore, there is no other reason for these revision besides pure retaliation for voicing my concerns about timecard theft and management's failure to fix the problem.

Date taken:  
1/11/13

c. Third employment action:

The MiLES Director directed me to leave the monthly supervisor meeting in front of all my peers, which embarrassed and humiliated me. I was very upset after leaving this meeting as I feel as if I have been shunned by the MiLES Director. I have been attending these meetings for over the past year and was invited to this meeting and sent an agenda. While the first part of the agenda did not related to HR related duties, I have always benefited from the operational agenda items as its important for me to learn about the goals and mission of MiLES so that I can answer questions for applicants when they ask what MiLES is.

Date taken:  
1/23/13

d. Fourth employment action:

The MiLES Director is no longer allowing my attendance at the weekly manager meeting since the incident that occurred on January 3, 2013 when I brought up the issue of timecard theft. Ever since this date, I have had many emails gone unanswered by my supervisor, the MiLES Director & Deputy Director, and supervisors whom I used to be very close with have avoided me and the Section Chiefs have sent disrespectful and hostile emails to me.

Date taken:

The first meeting I was not allowed to attend was January 11, 2013, but was confirmed in writing by the director on January 28, 2013.

e. Fifth employment action:

For the past three years, I have been receiving the "daily call in log" report. This report is sent to all MiLES Supervisors, Managers and HR. I use this report to review timecards, track FMLA usage, and to be notified if one of my employee's calls in sick.

Date taken:

1/23/13: I discovered that I was removed from the distribution list without even the courtesy of being told about it in advance or to have the ability to justify my need for it. I asked my supervisor to intervene and she did nothing. On 1/24/13, I asked the Director and Deputy Director to restore my name to the distribution list and the Director said, there is no need for me to get the report considering he revised the attendance procedures. I had to then justify my need for the report based on FMLA tracking and needing to know if my employees called in sick. He then stated he would have a "filtered" report sent to me that would include only the employees who called in FMLA or when my employees called in sick. This type of treatment is discriminatory in nature as I'm now being treated differently than all of the other supervisors.

f. Sixth employment action:

In November 2012, during the weekly manager meeting, we all agreed that when a training/tuition reimbursement request gets submitted by an employee, that I would bring it to the weekly manager meeting and we would discuss as a team and make a collective decision. On January 28, 2013 the MiLES Director decided to remove me from the group discussion unless he had questions whereby he would ask me about it ahead of time.

Date taken:  
1/28/13

g. Seventh employment action:

My supervisor asked me if I would be "willing" to take a reassignment to a different office and different duties for about 2 weeks to get some distance between me and the MiLES Director and managers. I should not be the one to be reassigned when I have done nothing wrong. I am the one being punished, isolated, and bullied and retaliated against for blowing the whistle on a major problem.

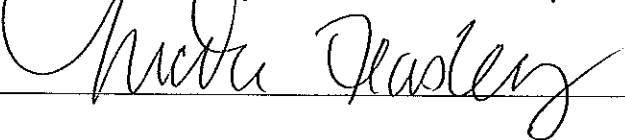
Date taken:  
1/28/13

7. Certification And Signature

By my signature below, I certify that I have read the above complaint, and, under penalties of law, I declare that this complaint is true and correct to the best of my knowledge and belief.

Signature of complainant or authorized representative

Date signed



1-28-13

Mail your completed and signed complaint to one of the following offices:

**State of Wisconsin  
Department of Workforce Development  
Equal Rights Division**

201 E. Washington Ave., Room A300  
P O Box 8928  
Madison, WI 53708  
Telephone: (608) 266-6860  
FAX: (608) 267-4592  
TTY: (608) 264-8752

819 North 6th Street  
Room 723  
Milwaukee, WI 53203  
Telephone: (414) 227-4384  
FAX: (414) 227-4084  
TTY: (414) 227-4081