



October 22, 2018

Via Facsimile and Email

Dane County Employee Relations Division
Room 418
210 Martin Luther King Jr.
Madison, WI 53703
608-266-4409
employee-relations@countyofdane.com

Re: Appeal of Demotion
Employee: Debra Vieaux

Dear Sir/Madam:

Please be advised that our law office represents Debra Vieaux. By this letter, Ms. Vieaux appeals from the whole of the notice of demotion to Senior Social Worker issued by Director Lynn Green on October 10, 2018. The notice alleges that Ms. Vieaux acted contrary to Civil Service Rules I(C), IV(D) and IV(J). This appeal is made pursuant to Section 18.17(3) of the Dane County Civil Service Ordinance.

Rule I(C)

Rule I(C) states that the “[u]nauthorized disclosure of confidential information or records” is prohibited conduct. Ms. Vieaux did not disclose confidential health care information without authorization. The demotion notice fails to provide actual notice of what the confidential health information was; who the colleagues or staff members are; or how that information was shared. To the extent that the notice is talking about a cancer diagnosis that Ms. Vieaux shared, she had authorization. It is common to share diagnoses with friends and colleagues for the purpose of rallying emotional support.

The notice criticizes Ms. Vieaux for “[s]haring management email exchanges with non-management staff. Again, the notice fails to provide actual notice of what the information was or who the non-management staff were. More importantly, the notice recognizes that the emails were not designated as confidential information. Therefore, sharing the emails was not prohibited by Rule I(C).

The notice also criticizes Ms. Vieaux for, in the context of discussing her working environment with other employees, bringing up a case. We agree that the case information was confidential. We disagree that discussing confidential information with other employees who are bound by the same rules of confidentiality is a breach of Rule I(C).

Rules IV(D) and (J)

Rule IV(D) states that “[m]aking threatening, false or malicious statement concerning other employees, supervisor officials or the County” prohibited conduct. Rule IV(J) states that “[f]ailure to exercise good judgment, or being discourteous, in dealing with fellow employees, or the general public” is prohibited conduct. The notice criticizes Ms. Vieaux for complaining about her working environment. Ms. Vieaux

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maintains that opposing a hostile working environment is protected by law. Ms. Vieaux also maintains that the words she used were not threatening, false, malicious or discourteous. Likewise, Ms. Vieaux asserts that used good judgment when approaching the subject with colleagues.

In sum, Ms. Vieaux requests a hearing pursuant to Rule 18.17(3)(c).

Sincerely,

GINGRAS, CATES & WACHS

/s/ William F. Sulton

William F. Sulton

414-778-0700

wsulton@gcwlawyers.com