

Wisconsin Department of Corrections

Governor Tony Evers | Secretary Kevin A. Carr

Wisconsin Correctional Center System

August 18, 2020

Andrew A. Berg, Correctional Sergeant
Kenosha Correctional Center
6353 14th Avenue
Kenosha, WI 53143

CONFIDENTIAL
HAND DELIVERED

Dear Sergeant Berg:

This is to inform you that you are being suspended without pay from your employment as a Correctional Sergeant at Kenosha Correctional Center (KCC) for a period of three work days for violation of the following State of Wisconsin Work Rule(s) which applies to all Department staff:

- Work Rule #2: Failure to comply with written agency policies and procedures; and
- Work Rule #5: Failure to report promptly at the starting time or leaving the place of duty before the quitting time without proper authorization, or failure to promptly notify the proper authority of impending absences or tardiness.

This action is being taken for the incident occurring on July 11, 2020, when you contacted KCC management at 3:00 p.m. stating you would not be reporting as scheduled due to illness. You were scheduled to begin your shift at 3:00 p.m. on this date. KCC staff are to notify the center 90 minutes prior to the start of their shift if he/she will not be reporting as scheduled. Your actions on this date were in direct violation of Wisconsin Correctional Center System (WCCS) Procedure #900.10.14: Absence Reporting Due to Illness or Injury, Employee and the above noted State of Wisconsin Work Rules.

WCCS Procedure #900.10.14 outlines the need for uniformed staff to call in a minimum of one and one-half hours (1 ½) or two (2) hours prior to the start of their scheduled shift, to ensure the operational needs of the center are met for each shift. The call in time for uniformed staff at the Kenosha Correctional Center is 1 ½ hours (90 minutes).

Your dates of suspension will be on September 21, 22, and 23, 2020. On these dates, you are prohibited from performing any work at KCC. You will be expected to report for your next scheduled work day/shift. Please note under DOC Human Resources Policy 200.30.102: Additional Hours of Work, you will not be eligible for additional hours of work during the pay periods in which you are serving a disciplinary suspension.

Andrew A. Berg
August 18, 2020
Page 2

A review of your disciplinary file indicates you had a 1 day suspension on May 27, 2020, for the violation of State of Wisconsin Work Rule #2 and #10. You also received a letter of expectation on April 6, 2018, outlining my expectation you follow WCCS Procedure #900.10.14 when calling in for your scheduled shift.

Please note further work rule violations may result in disciplinary action up to and including termination of your employment with the DOC.

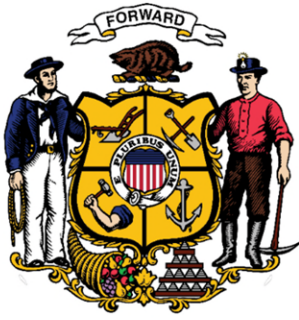
If you believe this action is not based on just cause, you may appeal it through the grievance procedure set forth in Wis. Stats. s. 230.445, the Wisconsin Human Resources Handbook Chapter 430 Employee Grievance Procedure, and the DOC Grievance Policy 200.30.303. Grievances must be submitted using the DPM Adverse Employment Action and Conditions of Employment Grievance form (DOA-15802) available on the Division of Personnel Management website at <https://dpm.wi.gov/Pages/home.aspx>. The grievance must be received by DOC Employment Relations staff electronically to DOCBHRGrievances@wisconsin.gov, in person, via-inter-departmental mail or U.S.P.S mail no later than 14 calendar days after you became aware of, or should have become aware of, the decision that is the subject of the complaint.

Sincerely,

Q. Champagne
Quala Champagne
Warden

Attachment: EAP Information

cc: Michelle Hoffman, Superintendent KCC
Ryan Blount, ER Specialist
Payroll
P-File
File



Wisconsin Department of Corrections

Governor Tony Evers | Secretary Kevin A. Carr

Wisconsin Correctional Center System

May 27, 2020

Andrew A. Berg, Correctional Sergeant
Kenosha Correctional Center
6353 14th Avenue
Kenosha, WI 53143

CONFIDENTIAL
HAND DELIVERED

Dear Sergeant Berg:

This is to inform you that you are being suspended without pay from your employment as a Correctional Sergeant at Kenosha Correctional Center (KCC) for a period of one work day for violation of the following Department of Corrections (DOC) Work Rule(s) which applies to all Department staff:

- Work Rule #2: Failure to comply with written agency policies and procedures; and
- Work Rule #10: Unauthorized use, abuse, or misuse, of state or private property, materials, facilities and equipment including but not limited to copy machines, computers, mail services, telephone systems, fax machine or other electronic media.

This action is being taken for the incident occurring on March 1, 2020, while you were working your scheduled shift as a Correctional Sergeant at KCC. On this date, you played the R rated movie "Game of Thrones" using the Department's DVD player, broadcasting for persons in our care (PIOC) to view, without permission. It was also reported by staff and PIOC you had previously played the R rated movie "Dear White People." Your actions on this date were in direct violation of Division of Adult Institution (DAI) Policy & Procedure #300.00.00: Feature Films, DAI Policy & Procedure #300.00.58: Staff Personal Property, Executive Directive (ED) 50: Guidelines for Appropriate Use of Department of Corrections Information Technology and the above noted State of Wisconsin Work Rules.

DAI Policy & Procedure #300.00.00 is clear stating "Feature films and instructional videos shall be purchased, owned or rented by the facility and shall be on an approved list provided through a contract with a company that provides copyright access, or distributed or produced by companies covered by a contract to be shown at the facility." WCCS must be in compliance with this policy and all centers either purchase or rent through an approved vendor; staff are not allowed to bring in personal videos. It also notes "Feature films being shown shall be deemed appropriate for a correctional setting." The movies shown were both rated R and may not be shown in a correctional setting. DAI Policy & Procedure #300.00.58 does not allow for staff to bring in personal videos without prior approval on a DOC-2389: Staff Personal Property Authorization. You are also responsible for the provisions noted in this policy related to the proper inspection of your personal belongings when entering the center.

Andrew A. Berg
May 27, 2020
Page 2

ED 50 only allows DOC equipment, to include a DVD player, to be utilized in compliance with policies and procedures.

As a Correctional Sergeant at KCC, you are called to be a positive rehabilitative influence through your conduct. Your actions of failing to follow policy and procedures by showing personal rated R videos is to the PIOC is not demonstrative of your ability to serve as a positive rehabilitative influence.

Your date of suspension will be on Wednesday, June 9, 2020. On this date, you are prohibited from performing any work at KCC. You will be expected to report for your next scheduled work day/shift. Please note under DOC Human Resources Policy 200.30.102: Additional Hours of Work, you will not be eligible for additional hours of work during the pay periods in which you are serving a disciplinary suspension.

A review of your disciplinary files indicates you have not had any disciplinary actions within the past 12 months.

Please note further work rule violations may result in disciplinary action up to and including termination of your employment with the DOC.

If you believe this action is not based on just cause, you may appeal it through the grievance procedure set forth in Wis. Stats. s. 230.445, the Wisconsin Human Resources Handbook Chapter 430 Employee Grievance Procedure, and the DOC Grievance Policy 200.30.303. Grievances must be submitted using the DPM Adverse Employment Action and Conditions of Employment Grievance form (DOA-15802) available on the Division of Personnel Management website at <https://dpm.wi.gov/Pages/home.aspx>. The grievance must be received by DOC Employment Relations staff electronically to DOCBHRGrievances@wisconsin.gov, in person, via-inter-departmental mail or U.S.P.S mail no later than 14 calendar days after you became aware of, or should have become aware of, the decision that is the subject of the complaint.

Sincerely,

Q. Champagne
Quala Champagne
Warden

Attachment: EAP Information

cc: Michelle Hoffman, Superintendent KCC
Ryan Blount, ER Specialist
Payroll
P-File
File



MAILING ADDRESS COPY

Scott Walker
Governor

Edward F. Wall
Secretary

Wisconsin Correctional Center System
3099 E. Washington Ave.
Post Office Box 7969
Madison, WI 53707-7969
Telephone (608) 240-5310
Facsimile (608) 240-3335

State of Wisconsin
Department of Corrections

May 8, 2014

Andrew Berg, Correctional Sergeant
Kenosha Correctional Center
6353 14th Avenue
Kenosha, WI 53143

CONFIDENTIAL
HAND DELIVERED

Dear Sergeant Berg:

This letter shall serve as formal notice of a written reprimand for your violation of Department of Corrections (DOC) Work Rule(s):

- Work Rule #2 – Failure to comply with written policies or procedures including but not limited to Executive Directives and Administrative Directives; and
- Work Rule #30 – Failure to notify the proper authority of an absence or tardiness in a timely manner.

This action is being taken for the incident occurring on February 18, 2014, when you failed to report for your shift as scheduled at the Robert E. Ellsworth Correctional Center (REECC) and failed to contact the center timely you would not be reporting as scheduled. Your scheduled shift was to begin at 2:00 p.m. and contact needed to be made 90 minutes prior to the start of the shift you would not be reporting. You did not contact the center until 12:58 p.m.; 28 minutes after the identified call in time. Your actions are in direct violation of Wisconsin Women's Correctional System (WWCS) Procedure 900.10.26: Staff Call-In Procedure for WWCS and the above noted DOC Work Rules.

At pre-disciplinary hearing held on May 1, 2014, you did not provide any additional information which would preclude me from taking this action. WWCS Procedure 900.10.26 is clear in the expectation of security staff noting "staff will call in no later than ninety (90) minutes prior to the start of their scheduled shift."

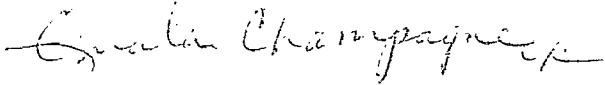
A review of your disciplinary file indicates you have not had any previous disciplinary actions within the last 12 months.

Further violations of DOC work rules will result in progressive discipline, up to and including termination of your State employment.

Andrew Berg
May 8, 2014
Page 2

If you believe this action was not taken for just cause, you may appeal through the grievance procedure, according to Wisconsin Human Resources Handbook Chapter 430.

Sincerely,



Quala Champagne, Warden
Wisconsin Correctional Center System

Attachment: EAP Information

cc: Ann Krueger, Superintendent KCC
Michelle Hoffman, Superintendent REECC
Kelli Brown, ER Specialist
P-File
File

Kenosha County Eye

Scott Walker
Governor

Edward F. Wall
Secretary



WI Women's Correctional System
Robert E. Ellsworth Correctional
Center
21425 A Spring Street
Union Grove, WI 53182-9408
Tel: (262) 878-6000
Fax: (262) 878-6015

State of Wisconsin
Department of Corrections

January 16, 2013

Correctional Sergeant, Andrew Berg
Robert E Ellsworth Correctional Center
Union Grove, WI

HAND DELIVERED

Dear Mr. Andrew Berg,

This written reprimand is being issued because you are in violation of Departmental Work Rules:

Work Rule # 31 - "Unexcused absence or excessive absenteeism."

Specifically, on December 6, 2012 you called the center indicating that you would not be in for your regular shift. According to policy this is your sixth occurrence within the calendar year without medical documentation. Prior dates include: 04/07/2012, 04/22/2012, 09/22/2012, 10/9/2012, 10/11/2012, making the 12/06/2012 your sixth occurrence subject to progressive discipline. You were provided an opportunity to review and discuss prior occurrences and no supporting documents were provided for the prior dates. Upon notice of this incident you were told the Dr. slip did not cover the absence for your girlfriend. Per administrative code girlfriends are not covered under immediate family, you failed to notify your employer and take the employees responsibility of notification into your own hands. FMLA documents have since been processed under WI FMLA but this was done after the fact and only when prompted by HR.

These work rule violations fall under the DOC Disciplinary Guidelines. You are aware of these work rules, and have acknowledged receiving a copy of the Department of Corrections' Work Rules and DOC Disciplinary Guidelines. You are aware of the progressive disciplinary process and acknowledge this suspension follows the progression as stated in DOC Executive Directive 2.

Further violations of DOC work rules will result in progressive discipline, up to and including termination of your State employment. If you believe this action was not taken for just cause, you may appeal through the grievance procedure, according to Wisconsin Human Resources Handbook Chapter 430.

Sincerely,

Handwritten signature of Deanne Schaub in black ink.

Deanne Schaub
Warden

cc: P-file; B Fusie, BPHR-ER (e-mail); M. Hoffman, Superintendent, E. Wells, HR Director