

Mayor Paine,

I have been asked to contact you on behalf of Investigator LeRette, the Superior Local 27 Grievance Committee, Superior Local 27 Discipline Committee, and the current Superior Local 27 Union President. I have also sought the approval of Investigator LeRette, the Superior Local 27 Grievance Committee, Superior Local 27 Discipline Committee and the current Superior Local 27 Union President for the message I forward you today. Additionally I have forwarded a copy of this message to WPPA Business Agent Robert Powell in keeping with WI SS 111.70(4) (d).

As you are already aware, In September of 2024 the WPPA Superior Local 27 (the Union) initiated the oral discussion steps outlined within the grievance procedure located in the current working agreement with the City of Superior (the City). The grievance process was, in part, a result of an internal investigation into the work performance of Investigator LeRette leading up to her paid parental leave and maternity leave. The Union inspected the circumstances of the internal investigation proceedings along with the facts available to the Union at that time. It was determined by the Union's Grievance Committee that the City of Superior was misinterpreting and misapplying the terms of the working agreement.

Following the initiation of the oral discussion, the time frame of the grievance procedure was mutually extended by verbal and written communications between the Union and the City of Superior Human Resources Director, Cammi Janigo. During multiple meetings and communications with City of Superior the Union communicated to the City that the attempt to discipline Investigator LeRette outside of the procedure described in WI SS 62.13(5) was unlawful. Additionally, the investigation carried out by members of the Superior Police Department administration and former Assistant Chief John Kiel's personally selected investigator, Daniel Hardman, did not pass the seven tests of just cause outlined in WI SS 62.13(5)(em). Specifically, the investigation intentionally ignored the alternative work hour requirements for narcotics investigators prescribed in Article 8 of the current collective bargaining agreement:

A) **Hours** - *...The provisions of this Article shall not apply to officers assigned to narcotics/vice assignments. Hours of work for such officers shall be assigned by the Chief of Police.*

D) **Alternative Work Schedules** - *The Police Chief or their designee and the employee may mutually agree to a pattern of work that deviates from the normal scheduling and overtime practices outlined in this Agreement. The Employer shall retain documentation of the agreement. Either the Employer or the employee may revoke such election by giving written notice to the other party at least five (5) work days prior to the effective date of revocation. Employees shall have the opportunity to review an alternative schedule or schedules, prior to volunteering for flexible work hours. Alternative work schedules may include shifts that are less than or more than the regularly scheduled hours per day.*

With the information available to Union in November of 2024, Director Janigo was informed the Union was prepared to move forward and submit a written grievance. Director Janigo, seeking to avoid an impasse, sought and was granted additional oral discussions to attempt to resolve this issue.

Throughout the oral discussion phase, the Union agreed to the City's request to maintain dialogue. Additionally, only one point of the original six disputed matters pertinent to the grievance, were settled with the City. Following a meeting in your office in December of

2024, the Union explained to Director Janigo the intention for the Union to include the Chief of Police in the conclusion of the grievance matter. This was to take place once Investigator LeRette's disciplinary outcome was resolved or separated from that of the rest of the Union's interest. The Union is resolved to address ongoing, persistent, and consistently unlawful tactics utilized by the administration through the grievance process. Step 1 of that process includes the Chief of Police. If the Union is forced to bypass Step 1 due to a conflict of interest the entirety of the issue will be submitted to the HRC, as per the directions of Step 2.

Step 1. The aggrieved employee shall present the grievance in writing to the Chief of Police. The Chief of Police shall discuss the grievance with the employee and the Union Representative and will give their answer in writing within three (3) days to both the aggrieved employee and the Association.

Step 2. If the grievance is not satisfactorily resolved, it shall be submitted in writing to the Human Resources Committee and the Human Resources Director within five (5) working days after receipt of the answer in the first step. The Committee will hear the grievance at their next regularly scheduled meeting. The Committee shall respond to the grievance in writing within ten (10) days of their meeting date.

In January of 2025, I requested clarification and clearance from Director Janigo to attempt to bring this matter to a close. This conversation occurred in Director Janigo's office prior to your issuance of a letter of counseling for Investigator LeRette. Director Janigo stated that she would advise the Union following your decision on the matter. No representative from the WPPA or the local members of the Union has heard from Director Janigo in reference to bringing the grievance matter to a close. The City of Superior's Grievance Log also reflects this.

As we discussed in our last meeting the purpose for informing your Office of the retaliatory intimidation and coercion utilized by former Assistant Chief John Kiel was an attempt to bring the issue of the internal investigation involving Investigator LeRette and grievance to a lawful conclusion without further obstruction. With your intercession also came an appropriate level of scrutiny. Both Investigator LeRette and I respect your authority to issue counseling to municipal employees. However, given the fact that your conclusions were drawn from a flawed investigation, the counseling letter issued contains conclusions that jeopardize the integrity of Investigator LeRette's position as an investigator and her career in law enforcement. Given the severity of any allegation of theft or dishonesty in the field of law enforcement the protections of Investigator LeRette's inherent property rights enshrined Board of Education v. Loudermill 470 U.S. 532 (1985) have themselves been placed in jeopardy.

I would like to be as clear as I can be so as to avoid any confusion on the matter of your counseling letter. Neither Investigator LeRette nor I have any confidence in Director Janigo, City Attorney Harley Prell, former Assistant Chief John Kiel, Captain Jeffery Harriman or Daniel Hardman to provide accurate or objective information to inform you or any other City authority in this matter. We believe these individuals have acted in bad faith, deceptively, and are not trust worthy. Information obtained during this process and documents we have in our possession support this position.

I also understand that you may not wish to continue involving your Office in this matter given the fact that Investigator LeRette and I are now shielded from further intimidation and coercion from former Assistant Chief John Kiel due to his retirement. Should you wish to involve yourself in the remainder of the process Investigator LeRette is willing to provide you details that we believe would allow you to objectively form an opinion of her work performance and integrity. Investigator LeRette would request, should you agree with our position, you at minimum provide additional communication to District Attorney Mark Fruehauf explaining your findings.

If this is agreeable to you the grievance process would revert to the proper step and involve Chief Winterscheidt and Union leadership in its conclusion. I am confident the Chief and the Union will be able to provide a meaningful solution to the ongoing problems with the disciplinary process in the Superior Police Department. Should you wish to separate your Office from this matter the full grievance will be submitted to the City of Superior Human Resource Committee and the Human Resource Director per Step 2.

The controversy surrounding the internal investigation into Investigator LeRette has damaged morale greatly within the Superior Police Department. Our initial attempts to shield our respected coworkers from undue stress has not been successful and the we believe City's improper handling of this matter has now brought undeserved criticism to the Department, further lowering morale. There is simply no positive reason left on our side to delay the resolution of this issue. Investigator LeRette and the Union Grievance Committee insist the issue is placed with either the Chief of Police in Step 1 or the Human Resource Committee in Step 2 by 06/09/2025.

Thank you for your time and consideration,

Officer Lucas Ciciora