

# Judicial Committee Decision

**Case:** Alexis Lohse against Vice President Angela Halseth

**Date:** March 18, 2025

## I. Introduction

This decision concerns the complaint filed by Alexis Lohse against Vice President Angela Halseth on September 30, 2024. The complaint alleges that the Vice President made intentionally untrue statements before the Board of Directors, impeding the Board's ability to fulfill its lawful duties.

The respondent countered that the facts of the complaint do not rise to the level of a basis for complaint under Article VII, Section 2.9 of Minnesota Association of Professional Employee's bylaws. The respondent also counters that

The Judicial Committee has reviewed the complaint, the evidence presented, and relevant bylaws. Our decision considers both procedural validity and substantive merit of the complaint.

## II. Findings of Fact

After reviewing testimony, documents, and other relevant materials, the Committee establishes the following timeline and key facts:

### A. Background & Timeline of Events

This complaint arose from concerns surrounding the hiring process for the Field Director position. During the interview of Alexis Lohse, President Dayton was present in the interview room while not actively participating in that round of interviews, a decision later acknowledged as a lapse in judgment by Vice President Halseth.

The presence of the union president in the interview raised concerns about the fairness and neutrality of the hiring process.

At a subsequent Board of Directors meeting, Halseth publicly took responsibility for the handling of the interview process and acknowledged that her involvement could have been managed differently. This discussion became the basis for further scrutiny, as questions were raised about how the situation was addressed both internally and in public statements.

This case is closely related to a separate complaint against President Megan Dayton, which also stemmed from concerns about the same interview process. Because Vice President Halseth was a key figure in the interview and later became involved in the adjudication of Lohse's case against Dayton, questions arose about the Vice President's ability to remain impartial as the Judicial Committee Chair. The filing of this complaint had the procedural effect of shifting oversight of the Dayton case, further complicating internal governance dynamics.

This connection between the two cases played a role in how the complaint was perceived as a potential accountability measure and as a possible strategic maneuver within the judicial process.

- **April 2024** – Field Director Mike Asmus resigns from MAPE management.
- **April 26, 2024, Board Meeting** – At the April meeting of the Board of Directors, Chief of Staff Todd Maki requests a waiver of MAPE's 30-day job posting requirement policy. The Board approves a 2-week posting.
- **May 3, 2024** – Field Director position is posted.
- **May 17, 2024, Board Meeting** – No updates on Field Director search.
- **May 23, 2024** – Listing is reposted.
- **May 29, 2024** – Application window is closed.
- **July 2024, MAPE Office Floods** – A burst water line on the third-floor break room floods the MAPE building, including President Dayton's second floor office. President Dayton begins working from Conference Room A on the third floor during cleanup and construction.
- **August 1, 2024, Interview** – First Round Field Director Interview with Alexis Lohse held in Conference Room A. President Dayton does not excuse herself from the room.
- **August 16, 2024, Board Meeting** – Lohse speaks during member comment at August meeting of the Board of Directors, describing President Dayton's presence in the room during the interview. Vice President Halseth tells the Board she will reach out to Lohse.
- **September 20, 2024, Board Meeting** – President Dayton issues an apology at the September meeting of the Board of Directors. Vice President Halseth also makes a statement to the Board regarding the incident.
- **September 30, 2024** – Lohse files complaints against President Dayton and Vice President Halseth.
- **October 20, 2024, Delegate Assembly** – Lohse allegedly distributes a flier with a QR code linking to her complaints at Delegate Assembly.

## B. Key Issues Raised in the Complaint

Lohse alleges that Vice President Halseth failed to conduct a fair hiring process, specifically in relation to Lohse's first-round interview on August 1, 2024. During a

Board of Directors meeting on September 20, 2024, President Megan Dayton referenced this alleged failure, prompting Vice President Halseth to state that she had attempted to apologize to Lohse multiple times via phone call and voicemail, but had not received a response. Lohse contests this claim, asserting that a review of her work and personal phone records showed no missed calls or voicemails from the Vice President's phone number listed on the MAPE's website.

The complainant further argues that Vice President Halseth's alleged false statements before the Board interfered with the lawful duties of Regional Directors under Article VII, Section 2 of MAPE's bylaws. Lohse contends that by misrepresenting the nature of her attempted outreach, Vice President Halseth potentially misled the Board and undermined accountability in the hiring process. This raises broader concerns about whether Halseth maintained the necessary neutrality and fairness in overseeing the hiring process and whether her role in that process was compromised by her own involvement in the events being scrutinized in a subsequent complaint against President Dayton.

Additionally, Lohse became increasingly concerned about Vice President Halseth's ability to remain impartial in addressing the complaint against President Dayton, given that Halseth was directly involved in the hiring process in question. The complainant argues that Halseth's dual role as both a participant in the events and a decision-maker in related judicial matters creates a conflict of interest that calls into question the fairness of MAPE's judicial procedure. This aspect of the complaint focuses on whether Halseth should have recused herself from involvement in matters related to Dayton's actions in the hiring process to ensure an unbiased adjudication.

### C. Key Issues Raised in the Response

Vice President Halseth's response primarily focused on two points: the intent and accuracy of her statements before the Board of Directors and the question of whether any alleged misrepresentation impeded the Board's lawful duties. Her representative, John Ferrara, stated that her remarks were part of a larger effort to take public accountability for her role in the hiring process and to acknowledge areas where she could have intervened but did not. Halseth emphasized that she had no intent to mislead the Board and was instead seeking to be transparent about her actions.

Additionally, her response challenged the central claim that her statements to the Board had interfered with the duties of Regional Directors under Article VII, Section 2. Her representative argued that even if her statements regarding outreach to Lohse were inaccurate, they did not impede the Board's ability to carry out its responsibilities. The respondent asserted that the hiring process was already concluded at the time of her remarks and that any inaccuracies in her statements could not materially impact governance decisions.

On the issue of whether she had attempted to contact Lohse, Vice President Halseth maintained that she had made outreach attempts but was unable to provide call records due to having a new phone carrier. She also stated that after her initial attempts, she refrained from further outreach because Lohse's email responses conveyed anger, leading her to believe that further direct contact would not be welcome. The respondent further pointed out that technical issues with cellular networks can sometimes result in calls not appearing in phone records, offering an alternative explanation for why Lohse did not find evidence of missed calls or voicemails.

### III. Decision and Reasoning

After deliberation, the Committee has reached the following determinations:

#### A. Procedural Considerations

A key consideration in this case was whether the complaint was filed primarily as a procedural maneuver rather than a genuine grievance.

Article XII, Section 2 states:

"After a complaint is properly filed (Article XIII, Section 4), the Statewide President will chair the committee. If the Statewide President is a participant in the complaint, the Statewide Vice President will become the Chair. If the Statewide President and the Statewide Vice President are both participants in the same complaint then a remaining member of the Executive Committee will become the Chair."

The complaint against the Vice President originated from an complaint against President Megan Dayton, in which the Vice President was a key witness. Given the structure of the judicial process, the filing of this second complaint had the effect of shifting the responsibility of overseeing the original case against President Dayton from the Vice President to the Treasurer, Chet Jorgensen. This raises concerns about forum shopping, or the strategic filing of complaints to select a favorable Judicial Committee Chair.

The Committee recognizes that recusal is a valid procedural option for addressing conflicts of interest within leadership. In this case, Treasurer Chet Jorgensen sought to recuse himself from the position of Judicial Chair, which created further delays in adjudication as the Board of Directors had to subsequently assign the Judicial Chair role to a different member of the Executive Committee. Under *Robert's Rules of Order*, recusal is generally left to the individual member of the committee, although the committee itself or a higher body may vote to require recusal. Because the first order of business for Vice President Halseth, acting as Judicial Committee Chair in the complaint

against President Dayton, would have been to form a Judicial Committee, it's not immediately obvious if a higher body existed that would have been (1) fully and properly aware of the complaint and (2) able to force such a recusal.

Given these factors, the Committee acknowledges that Lohse may have viewed filing the complaint against Vice President Halseth in this manner to ensure a timely and procedurally viable review, even if it was strategic in nature.

While some members of the Committee viewed this as an improper use of the process laid out in Article XIII of MAPE's bylaws, others believed it was a reasonable response to structural gaps in the bylaws given the particulars of the facts in the case against President Dayton. Ultimately, the Committee was split, without majority, on whether this constituted an improper filing in bad faith, though we were unanimous in our decision to dismiss the complaint on its merits due to insufficient evidence of misconduct.

## B. Findings on the Merits

First, the allegations are unlikely to meet the standard of misconduct under the principles of lawful duty outlined in Minnesota Statutes chapter 317A. The nature of the alleged actions in question did not clearly constitute a breach of responsibility or ethical wrongdoing that would warrant disciplinary action under Article XII. The Committee could not find which lawful duty was interfered with by Vice President Halseth's statements to the Board.

Second, the documentation and testimony presented did not offer a compelling basis to conclude that serious misconduct under Article XII, Section 2.9 had occurred.

Therefore, the Committee finds this case must be dismissed.

## C. Final Decision

After a thorough review of the evidence and testimony presented, the Committee has unanimously determined that the complaint does not meet the preponderance of evidence threshold for misconduct under MAPE's bylaws. The allegations lack sufficient supporting evidence to warrant disciplinary action. As such, we find that the complaint must be dismissed on the merits. This decision reflects our commitment to ensuring that any disciplinary action is based on clear, substantiated claims rather than speculation or procedural complications.

Regarding the question of whether the complaint was filed in bad faith, the Committee declines to make a formal determination. While we acknowledge that procedural considerations played a significant role in the filing, there is no consensus on whether this alone constitutes an abuse of process under the bylaws.

## IV. Conclusion

This ruling should not be interpreted as a blanket dismissal standard for complaints that involve similar procedural manipulation. While we are unable to determine that this complaint was filed in full good faith, we also recognize that the current procedural rules in the MAPE bylaws may have left the complainant with limited options. This case highlights a potential need for further clarification regarding procedural integrity and conflict resolution within the complaint process.

Moving forward, we urge members to seek alternative means of resolving jurisdictional concerns.

The Committee also affirms that to uphold the fairness and integrity of our judicial and disciplinary processes, all complaints must be evaluated on their merits. Where procedural manipulation is a concern, it cannot serve as the sole basis for dismissal, as doing so would create a precedent that could cause otherwise valid complaints to be disregarded simply due to the circumstances of their submission.

Section 11 of Article XIII states:

"If the complaint is not sustained, and the Judicial Committee is convinced that the complaint was not brought in good faith or was actuated by malice, the Judicial Committee may impose one or more of the penalties as are listed in Section 10 of this Article on the complainant as in its judgment is deemed proper under the circumstances."

A complaint must not be sustained, *and* the Committee must be convinced that a complaint was brought in bad faith. The burden of proof of the allegations in a complaint is on the complainant, explicitly stated in Article XIII, Section 9.3. The Judicial Committee should not speculate on the motivations behind a complaint. The Committee should hear facts and arguments. Therefore, it is implicitly the role of the respondent to prove their counterclaims, if any. Unless the respondent can argue otherwise—with the same standard of a preponderance of evidence—a complaint should be assumed brought in good faith, even if it is otherwise highly likely to be dismissed.

In this instance, while a procedural manipulation of the filing was noted by all parties, the Committee could not find conclusive evidence that the complainant acted with malice or knowingly filed an entirely baseless claim.

However, we reaffirm that egregious misuse of the process will not be tolerated, and penalties under Article XIII, Section 10 remain an option in cases where clear bad faith is established.

Signed,

Zac Echola  
Judicial Committee Chair