

STATE OF WISCONSIN CLAIMS BOARD

On July 29, 1999, in Room 416 North of the State Capitol, Madison, Wisconsin, the State Claims Board considered the following claim without hearing:

<u>Claimant</u>	<u>Agency</u>	<u>Amount</u>
Margaret Cox	Department of Health and Family Services	\$231.00

Margaret Cox of Appleton, Wisconsin claims \$231.00 for damage to her vehicle. In October 1998, the claimant, who is employed by the DHFS, participated in the UW Oshkosh college job fair. Since the event was close by, the claimant used her own car to transport the displays for the fair. The display case was in the claimant's back seat and two helpers took it inside for her when she arrived at UW Oshkosh. The claimant alleges that when she returned to her car at the end of the fair, she noticed that both her back seats had tears in the upholstery. She believes that this damage was caused when the display case was removed from her car. The case has metal casings that stick out from the wheels, which apparently tore her back seat. The claimant received two estimates to repair the damage. She requests payment for the higher of the two estimates because she would like the upholstery replaced, not simply patched. The estimate is less than the claimant's \$250 insurance deductible and is therefore not covered by her policy. The Department of Health and Family Services recommends payment of this claim based on equitable principles. Because state employees are encouraged to use their own cars for shorter work-related trips, the claimant used her personal vehicle to transport materials for the job fair. The DHFS believes that the interior of her vehicle was inadvertently damaged while an Oshkosh Convention Center employee was unloading the display case from the claimant's car and that she should be reimbursed for her damages. The Board concludes the claim should be paid in the amount of \$231.00 based on equitable principles, provided that the claimant produces a paid receipt for the repairs. The Board further concludes, under authority of s. 16.007 (6m), Stats., payment should be made from the Department of Health and Family Services appropriation s. 20.435 (2)(gk), Stats.

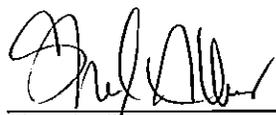
Dated at Madison, Wisconsin this 16th day of September 1999.



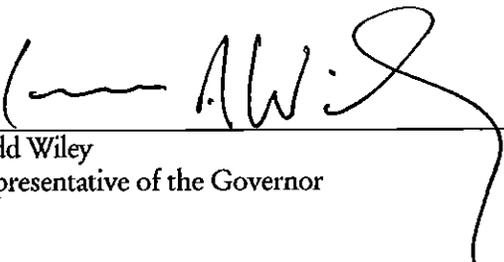
Alan Lee, Chair
Representative of the Attorney General



Edward D. Main, Secretary
Representative of the Secretary of Administration



Sheryl Albers
Assembly Finance Committee



Ladd Wiley
Representative of the Governor