BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

SAM HOLMAN, Appellant, v. DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Respondent.	Case No. DISM-00-0071 FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF BOARD FOLLOWING HEARING ON EXCEPTIONS

I. INTRODUCTION

1.1 **Hearing on Exceptions.** This appeal came on for hearing before the Personnel Appeals Board, WALTER T. HUBBARD, Chair, and GERALD L. MORGEN, Vice Chair, on Appellant's March 14, 2002, Notice of Exceptions to the Hearing Examiner's Recommended Decision. The hearing was held at the office of the Personnel Appeals Board in Olympia, Washington, on April 29, 2002.

1.2 **Appearances.** Appellant Sam Holman was present and was represented by Robert Hamilton, Attorney at Law. Wendy Lux Lienesch and Anne O. Shaw, Assistant Attorneys General, represented Respondent Department of Social and Health Services.

II. FINDINGS OF FACT

2.1 Having reviewed the record of proceedings before the Hearings Examiner, the Board finds that the Findings of Fact of the Hearings Examiner are supported by a preponderance of the evidence. The Board affirms and adopts the Findings of Fact of the Hearings Examiner as set forth in the attached copy.

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Personnel Appeals Board
2828 Capitol Boulevard
Olympia, Washington 98504

III. CONCLUSIONS OF LAW

3.1 The Personnel Appeals Board has jurisdiction over the parties hereto and the subject matter herein.

3.2 The Board concludes that the Conclusions of Law of the Hearings Examiner are supported by the Findings of Fact. The Board affirms and adopts the Conclusions of Law of the Hearings Examiner as set forth in the attached copy.

3.3 The Recommended Order of the Hearings Examiner should be affirmed.

IV. ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Recommended Order of Hearings Examiner John David Terry, dated February 15, 2002, is affirmed as follows:

It is Ordered that the appeal of Sam Holman is denied.

DATED this _____ day of _____, 2002.

WASHINGTON STATE PERSONNEL APPEALS BOARD

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Walter T. Hubbard, Chair

_____
Gerald L. Morgen, Vice Chair

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