BEFORE THE PERSONNEL RESOURCES BOARD

STATE OF WASHINGTON

JACKIE WILLIAMS, Appellant, v. WASHINGTON STATE UNIVERSITY, Respondent.	)	PRB Case No. R-DISM-12-003 **ORDER OF DISMISSAL**

This matter came before the Personnel Resources Board, DJ MARK, Chair; JOSEPH PINZONE, Vice Chair; and NANCY HOLLAND YOUNG, Member, for dismissal pursuant to WAC 357-52-215 and WAC 357-52-220.

WAC 357-52-215 provides, in relevant part:

> The board may dismiss an appeal on its own motion when:
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> (1) An appellant has failed to provide information required under WAC 357-52-020;
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> . . .
>
> (6) The board is unable to contact the appellant at the last address and telephone number provided by the appellant.

WAC 357-52-020 requires that an appeal must include the name and address of the appellant and a telephone number at which the appellant can be reached. WAC 357-52-025 further provides that the appellant or his/her representative is responsible for notifying the board of any change in address or telephone number.

The following is a chronology of this case:

- April 12, 2012, Appellant filed an appeal of his dismissal.
- May 15, 2012, a hearing on the appeal was scheduled for November 7 and 8, 2012.
- June 4, 2012, Appellant's attorney filed a notice of appearance.

- October 11, 2012, Appellant's attorney filed a Motion to Continue the Hearing indicating that Appellant had traveled to Florida to care for his father for a few weeks and asking that the hearing be rescheduled for a date after January 7, 2013.
- October 25, 2012, the Board granted the continuance.
- October 30, 2012, Appellant's attorney filed a Notice of Intent to Withdraw as Appellant's Attorney and provided a Florida address for Appellant. He did not provide a telephone number for Appellant.
- November 7, 2012, the Board rescheduled the hearing for March 27 and 28, 2013.
- On January 15, 2013, Board staff attempted to contact Appellant at the telephone number he had previously provided. However, staff received a message that the telephone number was no longer a working number.
- By letter dated January 16, 2013, Board staff contacted Appellant at the address in Florida. A copy of the letter was sent by certified mail and was received on January 24, 2013. In the letter, Board staff asked Appellant to provide a working telephone number and to confirm that he would participate in the March 27 and 28 hearing on his appeal. The letter informed Appellant that failure to provide the information could result in dismissal of his appeal. Appellant did not provide a response to the letter.
- On February 12, 2013, the Board served Appellant with a Notice of Potential Dismissal. The notice was sent by certified mail and was received on February 15, 2013. The notice informed Appellant that the appeal would be dismissed unless, within fifteen days of the date of the notice, he showed good cause for why the appeal should not be dismissed. Appellant did not respond to the Notice of Potential Dismissal.

Appellant failed to provide required information, failed to respond to the Board's attempts to contact him and failed to respond to the Notice of Potential Dismissal. Therefore, it appears that he no longer wishes to pursue his appeal and the appeal should be dismissed.

The Board having reviewed the file and records herein and being fully advised in the premises, now enters the following:

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Jackie Williams vs. Washington State University, PRB Case No. R-DISM-12-003, is dismissed.

DATED AND MAILED this _____ day of _____, 2013.

WASHINGTON PERSONNEL RESOURCES BOARD

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DJ MARK, Chair

_____
JOSEPH PINZONE, Vice Chair

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NANCY HOLLAND YOUNG, Member