

1 **BEFORE THE PERSONNEL RESOURCES BOARD**

2 **STATE OF WASHINGTON**

3 ROBIN SHOWALTER, )  
4 Appellant, )  
5 v. )  
6 EASTERN WASHINGTON UNIVERSITY )  
7 SERVICES, )  
8 Respondent. )

PRB Case No. R-ALLO-15-006

**ORDER OF DISMISSAL**

9 This matter came before the Personnel Resources Board, SUSAN MILLER, Vice Chair, and Vicki  
10 Bowdish, Member, for dismissal pursuant to WAC 357-52-215 and WAC 357-52-220.

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

12 The board may dismiss an appeal on its own motion when:

13 (1) An appellant has failed to provide information required under WAC 357-52-020;

14 . . .

15 On April 13, 2015, Kandys Dygert on behalf of Desiree Desselle filed an appeal on behalf of Robin  
16 Showalter. The appeal was on exceptions to the determination of the director regarding the  
17 allocation of Ms. Showalter’s position. However, in the exceptions appeal, Ms. Desselle failed to  
18 “detail the specific items of the director's determination to which exception is taken” as required by  
19 WAC 357-52-020(3).

20 On April 14, 2015, Personnel Resources Board (Board) staff acknowledged receipt of the appeal  
21 and in accordance with WAC 357-52-035, directed Ms. Desselle to provide the specific items of the  
22 director’s determination to which Ms. Showalter takes exception. The letter notified Ms. Desselle  
23 that she must provide the specific exceptions to the Board within twenty-one days of the date of the  
24 letter. Neither Ms. Desselle nor Ms. Showalter provided the required information.

1 On May 6, 2015, the Board served the parties with a Notice of Potential Dismissal. The Notice of  
2 Potential Dismissal notified the parties that the appeal would be dismissed unless, within fifteen  
3 calendar days following the date of service of the notice, the Board received a written request  
4 showing good cause why the appeal should not be dismissed.

5 By email dated May 7, 2015, Ms. Desselle responded and stated:

6 We will provide the specific exceptions as soon as possible. We do have every  
7 intention to make a presentation to the Board on July 15. As always, if after  
8 providing the details management wants to discuss settlement of the case, we are  
open to those discussions.

9 The email did not constitute specific exceptions to the director's determination as required by WAC  
10 357-52-020.

11 As stated in the Notice of Potential Dismissal, Appellant's specific exceptions were due within 21  
12 days of service of the notice. The notice was served on May 6, 2015; therefore the specific  
13 exceptions were due no later than May 21, 2015. Appellant failed to file specific exceptions on or  
14 before May 21, 2015.

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

17 **ORDER**

18 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Robin Showalter vs. Eastern  
19 Washington University, PRB Case No. R-ALLO-15-006, is dismissed.

20 DATED AND MAILED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

21 WASHINGTON PERSONNEL RESOURCES BOARD

22 \_\_\_\_\_  
23 SUSAN MILLER, Vice Chair

24 \_\_\_\_\_  
25 VICKI BOWDISH, Member