

1 **BEFORE THE PERSONNEL RESOURCES BOARD**

2 **STATE OF WASHINGTON**

3 DUANE ROSSI,)

4 Appellant,)

5 vs.)

6 WASHINGTON STATE UNIVERSITY,)

7 Respondent.)

PRB Case No. R-JUR-16-004

ORDER OF DISMISSAL

8 _____)
9 This matter came before the Personnel Resources Board, NANCY HOLLAND YOUNG, Chair, and
10 SUSAN MILLER, Vice-Chair, for dismissal pursuant to WAC 357-52-215.

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

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

13 (2) An appeal is not filed on time;

14 . . .

15
16 On June 29, 2016, Director's Review staff received an appeal for a rule violation regarding payment
17 of overtime. Since rule violations are handled by the Personnel Resources Board (PRB), the appeal
18 form was turned over to PRB staff.

19
20 By letter dated July 5, 2016, Board staff sent a letter to both parties. The letter stated reasons why
21 the appeal was untimely and directed the parties to submit affidavits and/or written argument within
22 twenty-one (21) calendar days why the appeal should not be dismissed. Lisa Gehring, Human
23 Resource Director, WSU, submitted a response. In her response, Ms. Gehring agreed that the
24 appeal was untimely. Appellant did not submit a response.

25 The Notice of Potential Dismissal was sent on July 27, 2016, in accordance with WAC 357-52-035.

26 The notice stated the appeal would be dismissed unless, within fifteen (15) calendar days following

1 the date of the notice, the Board received a written request showing good cause why the appeal
2 should not be dismissed. Neither party responded to the notice.

3
4 The parties failed to establish good cause why the appeal should not be dismissed. Therefore, the
5 appeal should be dismissed.

6
7 The Board having reviewed the file and records herein and being fully advised, now enters the
8 following:

9 **ORDER**

10
11 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Duane Rossi vs. the Washington
12 State University, PRB Case No. R-JUR-16-004, is dismissed.

13 DATED AND MAILED this _____ day of _____, 2016.

14
15 WASHINGTON PERSONNEL RESOURCES BOARD

16
17 _____
18 NANCY HOLLAND YOUNG, Chair

19
20 _____
21 SUSAN MILLER, Vice-Chair