

1 **BEFORE THE PERSONNEL RESOURCES BOARD**

2 **STATE OF WASHINGTON**

3 STACY TRUSSLER)
 4 Appellant,)
 5 vs.)
 6 DEPARTMENT OF TRANSPORTATION)
 7 Respondent.)
 8)

PRB Case No. R-LO-15-001

ORDER OF DISMISSAL

9 This matter came before the Personnel Resources Board, NANCY HOLLAND YOUNG, Chair,
10 SUSAN MILLER, Vice-Chair, and VICKY BOWDISH, Member, for dismissal pursuant to WAC
11 357-52-215 and WAC 357-52-220.

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

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

14

15 (5) A party fails to participate in a prehearing conference as described in WAC 357-
16 52-095; or

17 (6) The board is unable to contact the appellant at the last address and telephone
18 number provided by the appellant.

19 On October 19, 2015, board staff attempted to contact Ms. Trussler for a status conference call at
20 the telephone number she provided. However each attempt resulted in a voice mail message. Board
21 staff did not receive a call back from Ms. Trussler.

22 In accordance with WAC 357-52-045, by letter dated November 3, 2015, Board staff directed the
23 parties to provide affidavits and/or written argument addressing failure to participate in a conference
24 call. Affidavits and/or written argument were to be submitted within twenty-one (21) calendar days
25 of the date of the letter. Neither party submitted affidavits or written argument.

1 In accordance with WAC 357-52-220, on November 30, 2015, board staff served Ms. Rollins with a
2 Notice of Potential Dismissal. The Notice of Potential Dismissal notified the parties that the appeal
3 would be dismissed unless, within fifteen (15) calendar days following the date of service of the
4 notice, the Board received a written request showing good cause why the appeal should not be
5 dismissed.

6 Neither parties submitted a response to the Notice of Potential Dismissal

7
8 Neither the RCW nor the civil service rules allow the Board to waive the jurisdictional requirements
9 for filing appeals.

10
11 The Board having reviewed the file and records herein and being fully advised in the premises, now
12 enters the following:

13 **ORDER**

14 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Stacy Trussler vs. the
15 Department of Transportation, PRB Case No. R-JUR-15-001, is dismissed.

16 DATED AND MAILED this _____ day of _____, 2015.

17
18 WASHINGTON PERSONNEL RESOURCES BOARD

19
20 _____
NANCY HOLLAND YOUNG, Chair

21
22 _____
SUSAN MILLER, Vice-Chair

23
24 _____
VICKY BOWDISH, Member