

1 **BEFORE THE PERSONNEL RESOURCES BOARD**

2 **STATE OF WASHINGTON**

3 WENDY SCOTT,

4 Appellant,

5 vs.

6 DEPARTMENT OF SOCIAL & HEALTH  
7 SERVICES,

8 Respondent.

PRB CASE NO. R-JUR-19-003

**ORDER OF DISMISSAL**

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

12  
13 On February 25, 2019, Board staff received an appeal from Wendy Scott regarding a change  
14 of work location and disagreement with a supervisor. Board staff provided an appeal  
15 acknowledgement receipt to Appellant on February 27, 2019, and to Respondent, Department  
16 of Social and Health Services (DSHS).

17 Board staff reviewed specifics of appeal filed and could not identify an applicable subsection  
18 of WAC 357-52-010.

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20 In accordance with WAC 357-52-220, and by letter dated February 27, 2019, Board staff  
21 directed the parties to provide affidavits and/or written arguments addressing the Board's  
22 jurisdiction in this matter within fifteen (15) calendar days of the date of the letter.

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24 On March 8, 2019, Board staff received a Declaration of Ronnie-Sue Johnson, Administrator  
25 for the Community Services Division of the Department of Social and Health Services  
26 (DSHS) filed by M. Kate Garcia, Assistant Attorney General (AAG), representative for

1 DSHS. DSHS states, "Wendy Scott has not been reduced, dismissed, suspended, demoted  
2 separated or laid off by DSHS." The AAG states, "The Collective Bargaining Agreement  
3 (CBA) between DSHS and Washington Federation of State Employees is the applicable CBA  
4 governing Ms. Scott's employment contract." Additionally, the AAG states the lack of the  
5 Board's jurisdiction in this matter.

6 As of March 14, 2019, the Board had not received a response from the Appellant.

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

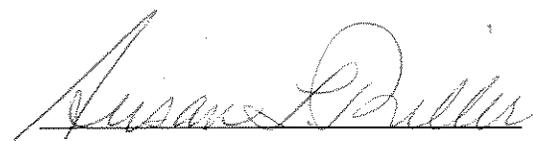
10  
11 **ORDER**

12  
13 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Wendy Scott v.  
14 Department of Social and Health Services, Case No. R-JUR-19-003, is dismissed because the  
15 Board does not have jurisdiction pursuant to WAC 357-52-215(4).

16 DATED this 15 day of March, 2019.

17  
18 WASHINGTON PERSONNEL RESOURCES BOARD

19   
20 NANCY HOLLAND YOUNG, Chair

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23 SUSAN MILLER, Member  
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