

1 **BEFORE THE PERSONNEL RESOURCES BOARD**

2 **STATE OF WASHINGTON**

3 PAUL HOLT,

4 Appellant,

5 v.

6 WASHINGTON STATE UNIVERSITY,

7 Respondent.

PRB Case No. R-DISM-08-002

8 **ORDER OF DISMISSAL**

9 This matter came before the Personnel Resources Board, LAURA ANDERSON, Chair; MARSHA
10 TADANO LONG, Vice Chair; and JOSEPH PINZONE, Member, for dismissal pursuant to WAC
11 357-52-215 and WAC 357-51-220.

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

14 The Board may dismiss an appeal on its own motion when:

15 . . .

16 (5) A party fails to participate in a prehearing conference . . .

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

19 On January 18, 2008, Appellant filed an appeal of his dismissal from his position as a
20 Grounds/Nursery Services Specialist 2 at Washington State University.

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22 On February 26, 2008, the matter was set for a May 28 and 29, 2008, hearing. The notice of
23 hearing also confirmed a pre-hearing status conference for March 5, 2008. Personnel Resources
24 Board staff called Appellant’s last known telephone number but Appellant did not answer the
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1 phone. Staff left a message and asked Appellant to return the call but Appellant did not return the
2 call.

3 On April 21, 2008, Board staff called Appellant to review the hearing process and answer any
4 questions he might have. Appellant did not answer the phone. Staff left a message but Appellant did
5 not return the call.

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7 On April 23, 2008, Board staff called Appellant again to review the hearing process and answer any
8 questions he might have. Appellant did not answer the phone. Staff left a message but Appellant did
9 not return the call.

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11 It appeared that Appellant no longer wished to pursue his appeal. Therefore, on April 25, 2008,
12 Board staff sent Appellant a letter asking him to contact the Board's office within fourteen days of
13 the date of the letter if he wished to proceed with his appeal. Appellant did not contact the Board or
14 its staff.

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16 On May 12, 2008, Board staff served the parties with a Notice of Potential Dismissal. The notice
17 stated that attempts to contact Appellant had been unsuccessful and that it appeared he no longer
18 wished to pursue his appeal. The notice also stated that the appeal would be dismissed unless within
19 fifteen calendar days following the date of service of the notice, the Board received a written
20 request showing good cause why the appeal should not be dismissed.

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22 Neither party submitted a response to the notice. Therefore, the appeal should be dismissed.

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

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Paul Holt is dismissed.

DATED AND MAILED this ____ day of _____, 2008.

WASHINGTON PERSONNEL RESOURCES BOARD

LAURA J. ANDERSON, Chair

MARSHA TADANO LONG, Vice Chair

JOSEPH PINZONE, Member