**BEFORE THE PERSONNEL RESOURCES BOARD**

**STATE OF WASHINGTON**

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| GLADYS LEACH,<br><br>Appellant,<br><br>v.<br><br>DEPARTMENT OF SOCIAL AND HEALTH SERVICES,<br><br>Respondent. | ) | PRB Case No. R-SUSP-10-001<br><br>**ORDER OF DISMISSAL** |

This matter came before the Personnel Resources Board, LAURA ANDERSON, Chair; DJ MARK, Vice Chair; and JOSEPH PINZONE, Member, for dismissal pursuant to WAC 357-52-215 and WAC 357-51-220.

On April 27, 2010, Gladys Leach filed an appeal of her suspension from her position as a Human Resource Consultant 1 at the Department of Social and Health Services.

On June 2, 2010, the matter was set for an October 20, 2010, hearing. The notice of hearing also confirmed a pre-hearing status conference for June 30, 2010. Appellant participated in the status conference.

During the status conference, Appellant agreed that witness and exhibit lists would be exchanged on or before October 12, 2010. Appellant did not submit a witness or exhibit list. Also during the status conference, Appellant agreed that a follow-up pre-hearing conference could be held at 9 a.m. on October 13, 2010.

On October 13, 2010, Personnel Resources Board staff called Appellant at both of the telephone numbers she provided. For one number, staff received a message that Appellant was not taking calls. The message did not provide staff an option to leave a message for Appellant. For the other number, staff received a message that the phone number was not working.

On October 18, 2010, Board staff again attempted at three various times throughout the day to call Appellant at the working phone number. Board staff received the message that Appellant was not taking calls. The message did not provide staff an option to leave a message for Appellant.

On October 19, 2010, the Board continued the October 20, 2010 hearing. Staff contacted the parties by telephone to tell them the hearing was continued. However, staff was unable to reach Appellant.

On October 20, 2010, Appellant telephoned staff regarding her dismissal appeal. During the call, staff asked Appellant why she did not appear for her suspension hearing but Appellant provided no response. Staff told Appellant that a Notice of Potential Dismissal had been mailed and attempted to tell Appellant what she needed to do to respond to the notice, but Appellant terminated the call.

WAC 357-52-220 requires that "(t)he parties must be served with written notice that the appeal will be dismissed unless, within fifteen calendar days following the date of service, a written request is made to the board showing good cause why the appeal should not be dismissed. If no timely request is made, the board must dismiss the appeal."

As required by WAC 357-52-220, the Notice of Potential Dismissal mailed to the parties on October 19, 2010 stated that the appeal would be dismissed unless within fifteen calendar days following the date of service of the notice, the Board received a written request showing good cause why the appeal should not be dismissed.

Outside of business hours, Appellant left a telephone message with Board's office indicating that she had received the notice. However, Appellant did not provide a written request showing why the appeal should not be dismissed.

Because Appellant failed to file a written response to the Notice of Potential Dismissal, the appeal should be dismissed.

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

**ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that the suspension appeal of Gladys Leach is dismissed.

DATED AND MAILED this _____ day of _____, 2010.

WASHINGTON PERSONNEL RESOURCES BOARD

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LAURA J. ANDERSON, Chair

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DJ MARK, Vice Chair

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JOSEPH PINZONE, Member