

STATE OF WISCONSIN

BEFORE THE STATE BOARD OF PERSONNEL

Albert E. Shipley,

Appellant,

-vs-

C. K. Wettengel, Director
State Bureau of Personnel,

Respondent.

STATEMENT OF ISSUE

AS TO

JURISDICTION

#336

It appears from the file in this matter that there is an issue of jurisdiction which must be disposed of before the matter could be heard on the merits:

1. Is the appeal from an action of the Director which became effective in April, 1969? If so, the Board has no jurisdiction under s. 16.05, Wis. Stats. because the appeal was not taken within the time limited by statute therefor.

2. Did the return of the Reclassification Request on February 6, 1970 with "no change" constitute an order of the Director that is appealable under s. 16.05 Wis. Stats. in view of the basis for the request and the circumstances surrounding it?

The parties should be heard on these questions and the Board should determine its jurisdiction as a condition of the matter being scheduled for hearing on the merits.

Dated at Madison, Wisconsin

This ___ day of May, 1970.

STATE BOARD OF PERSONNEL

BY _____

CHAIRMAN