<b>U</b>	FFICIAL	
STATE OF WISCONSIN		PERSONNEL BOARD
* * * * * * * * * * * * * * * * * * *	*	
	*	
JAN L. FEDRAN,	*	
-	<i>i</i> t	
Appellant,	*	
	*	
v. 、	*	OPINION
·	*	
WILBUR J. SCHMIDT, Secretary,	*	AND
Department of Health & Social	*	
Services,	*	ORDER
	*	
Respondent.	*	
-	*	
Case No. 74-10	*	
	*	
* * * * * * * * * * * * * * * * * * *	*	

Before AHRENS, Chairman, SERPE, JULIAN, STEININGER and WILSON.

## OPINION

On February 4, 1974, the Appellant appealed his discharge by the Respondent. On March 1, Respondent rescinded the discharge and transferred Appellant to a new job assignment. On March 4, the date on which a prehearing conference had been scheduled in Madison, at which Appellant did not appear, the Board inquired of the Appellant, in a letter as to whether the matter was settled. In a letter, Appellant replied that the matter was not settled since the new job assignment was at a different location and that his new job was not "of the same status as his former job."

On April 10, 1974, Counsel for Respondent sent the Board a paper purporting to be the written resignation of the Appellant, and inquired whether the scheduled conference on the case was necessary since he asserted the matter was "moot." The Board advised Counsel that the conference would be held as scheduled. At the appointed time, Counsel appeared for the Respondent, while the Appellant did not appear personally or otherwise communicate with the Board. Respondent moved for dismissal because of Appellant's non-appearance. The Board wrote the Appellant a letter requesting a written statement showing he had a reasonable excuse for not appearing at the conference; and that if such statement was not received within 10 days, the matter would be dismissed. Some 20 days or so later, the Appellant wrote the Board advising it that he had not received the letters referred to in the Board's letter to him.

On June 4, 1974, Counsel for Respondent moved for dismissal on the grounds that 1) Appellant failed to appear at two conferences in the matter and 2) by accepting the new work assignment he and the Respondent had, thereby, entered into a mutually satisfactory settlement of the matters at issue in this appeal.

The Board finds that the Appellant has not appeared at a prehearing conference and has not furnished any satisfactory excuse for his failure to do so. We conclude that he is not desirous of diligently pursuing his appeal.

## ORDER

IT IS ORDERED that the Respondent's Motion to Dismiss is granted and the appeal is dismissed.

Dated 12, 1974

STATE PERSONNEL BOARD

ΒY

elian ahma

William Ahrens, Chairman