

STATE OF WISCONSIN

STATE PERSONNEL BOARD

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 *
 KENNETH J. GOEGELINE,
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 Appellant,
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 v. ,
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 VERNE KNOLL, Deputy Director,
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 State Bureau of Personnel,
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 Respondent.
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 Case No. 75-163
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OFFICIAL
 INTERIM
 OPINION AND ORDER

Before: Percy L. Julian, Jr., Laurene DeWitt, John Serpe, Susan Steininger

OPINION

This is an appeal of a reallocation pursuant to Section 16.05(1)(f), stats. At the prehearing conference there was a motion to add two co-employees of Appellant, Stuart Sussman and Margaret Bedford, as parties. The Respondent objected on the grounds that these employees were not part of the original appeal and that to permit them to join as parties now would violate S. 16.05(2), stats.:

"The board shall not grant an appeal under Sub. (1)(e) or (f) unless a written request is received by the board within 15 days after the effective date of the decision, or within 15 days after the appellant is notified of such decision, whichever is later."

Appellant argues that his duties and responsibilities are similar to those of Sussman and Bedford, and that Ms. Bedford was a new employe at the time when she might have filed a timely appeal, and would not have been sufficiently aware of her duties and responsibilities to have been in a position to have filed an appeal. However, we have repeatedly held that the 15 day filing period in S. 16.05(2) is mandatory, and that we have no subject-matter jurisdiction over an appeal that is not timely filed. See, e.g., Jarvis v. Lehrmann, Wis. Pers. Bd. No. 74-92 (11/24/75);

Langlois v. Weaver, Wis. Pers. Bd. No. 75-49 (12/22/75). See also Odau v. Personnel Board, 250 Wis. 600 (1947).

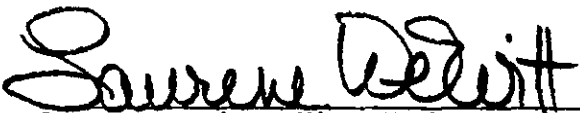
In the appeal that was filed in this case, the only name listed under "name of appellant" was that of Mr. Goegeline. While he expressed the opinion in the body of the opinion that all of the job service specialists in his unit were underclassified at the Job Service Specialist 2 level, in terms of relief requested he stated "Review and reallocate or reclassify Job Service Specialist 2 position #035502, if not all CETA Skill Center Job Service Specialist positions to a level of at least Job Service Specialist 3." While there are no strict rules of pleading in administrative proceedings such as this, there should be some reasonably clear identification of the persons appealing. We cannot conclude that this appeal was adequately identified as a group appeal that would permit the addition of Mr. Sussman and Ms. Bedford at this point.

ORDER

IT IS ORDERED that the motion to add Mr. Sussman and Ms. Bedford as parties is denied.

Dated December 21, 1976.

STATE PERSONNEL BOARD


Laurene DeWitt, Vice Chairperson