

\* \* \* \* \*  
 RAY KONKOL,  
                     Appellant,  
 v.  
 JOHN WEAVER, President,  
 University of Wisconsin System,  
 VERNE KNOLL, Deputy Director,  
 Bureau of Personnel,  
                     Respondent.  
 Case No. 77-21  
 \* \* \* \* \*

**OFFICIAL**

OPINION  
AND  
ORDER

Before: DEWITT, Chairperson, HESSERT, MORGAN, and WARREN, Board Members.

This is an appeal of a denial of a reclassification request pursuant to Section 16.05(1)(f), stats. Section 16.05(2), stats., requires that such appeals be received within fifteen days after the effective date of the decision or within fifteen days after the appellant is notified of such decision, whichever is later.

We find, based on the personnel board date stamp on Mr. Konkol's appeal letter dated February 7, 1977, that the appeal was received by the board on February 9, 1977. The respondent alleges that the original and Mr. Konkol's copy of a memorandum dated January 18, 1977, from the UW-System Personnel Office denying the reclassification request were both mailed on the same date and the original was received by the addressee in Stevens Point on January 20, 1977. Respondent further alleges that Mr. Konkol received his copy then or shortly thereafter, and that the appeal to the board therefore was untimely. Mr. Konkol was requested to advise the board if he disagreed with the facts alleged by Mr. Murphy or if he felt that the usual rule on timeliness should not be applied for some reason. He has not communicated with the board in this regard.

Therefore, we find that Mr. Konkol received the copy of the January 18, 1977, memorandum denying his reclassification request sometime prior to January 25, 1977. We conclude that the appeal letter was untimely and that this appeal must be dismissed. See Odau v. Personnel Board, 250 Wis. 600 (1947).

ORDER

This appeal is dismissed.

Dated April 25, 1977.

STATE PERSONNEL BOARD

  
Laurene Dewitt, Chairperson