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ISABEL DONAHUE,

Appellant,

v.

VIRGINIA HART, Chairperson,
Dept. of Industry, Labor & Human Relations,

Respondent.

Case No. 77-87

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OFFICIAL

OPINION
AND
ORDER

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

This appeal was received by the personnel board April 28, 1977. The appeal concerns the refusal of the agency to accept an application for the position of Job Service Specialist 1, which was received after the deadline (February 28, 1977). In a letter dated March 17, 1977, the agency reconfirmed its position and advised the appellant that any appeal rights would be to the personnel board. The appellant instead filed a grievance which was returned by the agency on the grounds that the matter should be appealed to the board. The April 28, 1977, appeal to the board followed.

The respondent objects to the appeal on the grounds that it was not timely filed. The appellant responded that she did not file the appeal with the board because she understood that all of the board members had resigned except two and that it did not appear to her to be a functioning body.

Official notice is taken that at all times relevant to this appeal the personnel board has not had less than four members and has been a continuously operative and functional body. If the appellant had doubts about this she could have contacted the board office or some other agency. This appeal is from an action or decision of the director pursuant to Section 16.05(1)(f), stats., and pursuant

to Section 16.05(2), stats., should have been filed within 15 days after receipt of the March 17th letter from the agency. This 15 day filing requirement is mandatory, and the board has no jurisdiction over cases not filed within this period. See Odau v. Personnel Board, 250 Wis. 600 (1947).

Order

This appeal is dismissed.

Dated July 22, 1977

STATE PERSONNEL BOARD


Laurene Dewitt, Chairperson