

CONCLUSIONS OF LAW

In a declaratory ruling interpreting the provisions of the contract in question, this board previously held in case 75-206 that the thirty day limitation set forth above was controlling with regard to the Article X appeal process. If this limitation did not apply then the fifteen day limit of Section 16.05(2), stats., must apply since the appeal of a reallocation action involves an "action or decision of the director," Section 16.05(1)(f), stats. Under either provision, the appeal received June 9, 1976, is clearly untimely with respect to a decision communicated to appellant November 17, 1975. While appellant argues that he did not become aware of the "grievance" until his receipt of the board's order dated May 25, 1976, this order was not his grievance nor the "cause of such grievance," as set forth in the contract. The "cause of such grievance" was the reallocation notice referred to above.

ORDER

It is ordered that this appeal is dismissed.

Dated April 25, 1977. STATE PERSONNEL BOARD


Laurene Dewitt, Chairperson