

- "(a) Some material error of law.
- (b) Some material error of fact.
- (c) The discovery of new evidence sufficiently strong to reverse or modify the order, and which could not have been previously determined by due diligence."

Although the appellant expresses disagreement with finding #10, she does not present any basis for a determination that it constitutes an error of fact other than by referring to witnesses (other women who allegedly attended the meeting) and evidence (her attached notes) that were not presented at the hearing. There was no indication that this "could not have been previously determined by due diligence." Given the clear mandate of the statute cited above, the Commission concludes that it cannot grant a motion for rehearing or amend the findings on the basis of the showing made by the appellant in her request filed July 5, 1978, and it is denied.

Dated: July 25, 1978 State Personnel Commission

Joseph W. Wiley
Joseph W. Wiley, Chairperson

Dated: July 25, 1978

Charlotte M. Higbee
Charlotte M. Higbee, Commissioner

Dissent:

Dated: July 25, 1978

Edward D. Durkin
Edward D. Durkin, Commissioner