

Since the Appellant did not file an appeal, two presumptions arise: one, that the decision was correct, and two, that the Appellant agreed with the decision. Therefore, at best, the Appellant may raise an issue from the reallocation that her position should be classified as either Typist (PR 2-05) or Typist (Lead) (PR 2-06), not Program Assistant 2, 3 or 4 (PR 2-07, 8 or 9).

Respondent does not argue that the appellant did not properly perfect her appeal of the original reallocation. In the Commission's opinion it does not follow that the appellant's failure to appeal a subsequent, apparently unilateral, reclassification would have the effect of precluding her from pursuing her original appeal with respect to classifications other than Typist (Lead).

Respondent also argues that:

Upon reclassification of her position to Typist (Lead) (PR 2-06), her pay rate was increased a step (\$0.173) under Section Pers 5.03(2)(c), W.A.C. However, if the Appellant's position had been reallocated to Typist (lead), there would have been no increase to her pay rate; that is, the Appellant's rate of pay would be at least \$0.173/hour less than her present rate and any overpayment as a result of the alleged incorrect reclassification would have to be recouped.

Since the Commission does not agree that appellant is restricted in her reallocation appeal to a claim to a Typist (Lead) classification, it does not follow that there is no effective remedy.

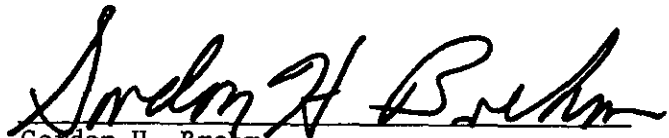
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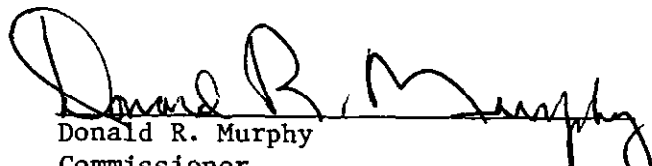
The respondent's objections made at the prehearing conference held April 8, 1980, and set forth in a letter dated August 13, 1980, are denied.

Dated Sept. 26, 1980

STATE PERSONNEL COMMISSION


Charlotte M. Higbee
Chairperson


Gordon H. Brehm
Commissioner


Donald R. Murphy
Commissioner

AJT:mew
9/25/80

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