BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD OF THE STATE OF KANSAS

AFSCME Council 64, Petitioner/Respondent,

v.

Department of Corrections - Lansing Correctional Facility, Respondent/Petitioner,

and

Kansas Department of Administration (KDOA), Intervenor/Respondent.

CASE NO(S): 75-CAE-34-1995 75-CAEO-4-1995

ORDER

NOW, on this 18th day of March, 1999, comes on the above-captioned matter in regards to the Petitioner’s appeal of dismissal. The presiding officer after having studied the files of this matter carefully and being fully advised in the premises FINDS that even though additional time and an additional opportunity to bring this matter to conclusion, by negotiation between the parties, with no progress whatsoever reported, justice dictates the dismissal issued by the presiding officer in this matter should and does stand. Petitioner’s appeal is denied as provided for in the Order issued herein on May 15, 1998, which is incorporated herein by reference.

IT IS SO ORDERED this 25th day of March, 1999.

[Signature]
George M. Wolf, Presiding Officer
Public Employee Relations Board
1430 SW Topeka Blvd., Third Flr.
Topeka, KS 66612-1853
(785) 368-6224

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NOTICE OF RIGHT TO REVIEW

This Order is the official notice of the presiding officer's decision in this case. The Order will become final pursuant to K.S.A. 77-530 unless reviewed by the Public Employee Relations Board, either on its own motion, or at the request of a party pursuant to K.S.A. 77-527. Any party seeking review of this Order must file a Petition for Review with the Public Employee Relations Board at 1430 SW Topeka Blvd., Topeka, Kansas, 66612, within fifteen (15) days from the date of service, plus three (3) days for mailing.

CERTIFICATE OF MAILING

I, Sharon L. Tunstall, Office Manager, Public Employee Relations Board, of the Kansas Department of Human Resources, hereby certify that on the 25th day of March, 1999, true and correct copies of the above and foregoing Order was deposited in the U.S. Mail, first class, postage prepaid, addressed to:

Donald R. Hoffman, Attorney  Jessie Cornejo, President
HOFFMAN & HOFFMAN  AFSCME Council 64
112 West 7th - Garden Suite  4125 SW Gage, Ste. 200
Topeka, KS 66603  Topeka, KS 66604

Attorney for AFSCME Council 64

Linden G. Appel  Robert E. North, Staff Attorney
Deputy Chief Legal Counsel  Kansas Department of Administration
Kansas Department of Corrections  Legal Section
900 SW Jackson, 4th Flr.  900 SW Jackson, Rm. 107
Topeka, KS 66612-1284  Topeka, KS 66612-1251

Attorney for Department of Corrections

and to the Public Employee Relations Board on 5th day of April, 1999.

Sharon L. Tunstall

Sharon L. Tunstall