

COPY

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD

OF THE STATE OF DELAWARE

IN THE MATTER OF
NANCY DISTEFANO,

Grievant,

v.

STATE OF DELAWARE,
DEPARTMENT OF TRANSPORTATION,
Agency.

DOCKET NO. 05-03-324

ORDER OF DISMISSAL

BEFORE Brenda Phillips, Chairperson, and John F. Schmutz, Esquire, and Paul Houck, Members, constituting a quorum of the Merit Employee Relations Board pursuant to 29 Del. C. § 5908(a).

APPEARANCES:

For the Appellant: Nancy DiStefano, *pro se*

For the Department: Frederick S. Schranck
Deputy Attorney General
Delaware Department of Justice
P.O. Box 778
Dover, DE 19903

BACKGROUND

Nancy DiStefano filed a grievance with the Merit Employee Relations Board ("MERB" or "Board") on March 1, 2005 concerning a letter of reprimand she received in October of 2004. By the terms of the reprimand it was to be removed from her personnel file following a period of one year. That period ended on October 18, 2005. The employer, Delaware Department of Transportation, ("DeIDOT" or "Employer") filed the motion now before the MERB arguing that the hearing on the grievance is moot due to the fact that the reprimand has been removed from Ms. DiStefano's personnel file.