BEFORE THE MERIT EMPLOYEE RELATIONS BOARD

OF THE STATE OF DELAWARE

CONNIE OLSEN,	)	
	)	
Employee/Grievant,	)	
	)	**DOCKET No. 11-04-512**
v.	)	
	)	
DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES,	)	**PUBLIC DECISION AND ORDER**
	)	
Employer/Respondent.	)	

After due notice of time and place this matter came to a hearing before the Merit Employee Relations Board (the Board) at 9:30 a.m. on March 28, 2012 at the Public Service Commission, Cannon Building, 861 Silver Lake Boulevard, Dover, DE 19904.

BEFORE Martha K. Austin, Chair, John F. Schmutz, Dr. Jacqueline Jenkins, Victoria D. Cairns, and Paul R. Houck, Members, a quorum of the Board under 29 *Del. C.* §5908(a).

APPEARANCES

W. Michael Tupman
Deputy Attorney General
Legal Counsel to the Board

Deborah L. Murray-Sheppard
Board Administrator

Roy S. Shiels, Esquire
on behalf of employee/grievant
Connie Olsen

Kevin R. Slattery
Deputy Attorney General
on behalf of the Department of
Services for Children, Youth and

their Families

BRIEF SUMMARY OF THE EVIDENCE

The Board incorporates by reference the Brief Summary of the Evidence in the Board's Non-Public Decision and Order.

FINDINGS OF FACT

The Board incorporates by reference the Findings of Fact in the Board's Non-Public Decision and Order.

CONCLUSIONS OF LAW

The Board incorporates by reference the Conclusions of Law in the Board's Non-Public Decision and Order.

DECISION AND ORDER

It is this **12th** day of April, 2012, by a vote of 3-2, the Decision and Order of the Board to deny Olsen's appeal.

MARTHA K. AUSTIN, MERB Chairwoman

JOHN F. SCHMUTZ, MERB Member

JACQUELINE D. JENKINS, EDD, MERB Member

We respectfully dissent.

PAUL R. HOUCK, MERB Member

VICTORIA D. CAIRNS, MERB Member