BEFORE THE MERIT EMPLOYEE RELATIONS BOARD

OF THE STATE OF DELAWARE

JUANITA HERREIDA,	)	
	)	
Employee/Grievant,	)	
	)	**DOCKET No. 11-12-531**
v.	)	
	)	
DEPARTMENT OF HEALTH AND SOCIAL SERVICES,	)	**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 9:20 a.m. on September 6, 2012 at the Public Service Commission, Cannon Building, 861 Silver Lake Boulevard, Dover, DE 19904.

BEFORE Martha K. Austin, Chair, Paul R. Houck, and Victoria D. Cairns, 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

Juanita Herreida
Employee/Grievant *pro se*

Kevin R. Slattery
Deputy Attorney General
on behalf of the Department of Health and Social Services

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 **11th** day of September, 2012, by a unanimous vote of 3-0, the Decision and Order of the Board to deny Herreida's appeal.

Martha K. Austin
MARTHA K. AUSTIN, MERB Chairwoman

Paul R. Houck
PAUL R. HOUCK, MERB Member

Victoria D. Cairns
VICTORIA D. CAIRNS, MERB Member