

**FILED**  
**NOV 19 2012**  
**EMPLOYEE APPEALS BOARD**

**BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD**

**PHILANA HARRELL**

**APPELLANT**

**VS.**

**NO.12-056**

**SPECIALIZED TREATMENT FACILITY  
MISSISSIPPI DEPARTMENT OF MENTAL HEALTH**

**APPELLEE**

**ORDER**

The Appellee, Mississippi State Department of Mental Health ("MDMH"), filed a Motion to Dismiss this matter for lack of Jurisdiction. MDMH asserts that Philana Harrell was a probationary employee and as such is not entitled to appeal her termination to this tribunal.

Harrell began her employment with MDMH on August 16, 2012 and was terminated on September 24, 2012.

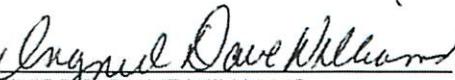
Section III of the Mississippi Employee Appeals Board Rules provides that a probationary employee may appeal alleged acts of discrimination based on race, color, religion, national origin, sex, age, disability, or political affiliation, and alleged acts of retaliation based upon the employee or applicant's reports of alleged improper government action to a State investigative body.

Harrell did not allege any acts of discrimination or retaliation in her notice of appeal. Consequently this Tribunal lacks jurisdiction over this matter and it is hereby dismissed.

**SO ORDERED** this the **19th** day of **November 2012**.

MISSISSIPPI EMPLOYEE APPEALS BOARD

BY:



INGRID DAVE WILLIAMS  
Hearing Officer