

FILED  
JUN 04 2012

EMPLOYEE APPEALS BOARD

**BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD**

**TYWONDA D. BOYD**

**APPELLANT**

**V.**

**DOCKET NO. 12-030**

**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES**

**RESPONDENT**

**ORDER**

Presently before the Mississippi Employee Appeals Board is the appeal by Tywonda D. Boyd ("Boyd") from her termination from the Mississippi Department of Human Services ("MDHS").

*Mississippi State Personnel Board Policy and Procedure Manual* requires that "a notice of appeal must be filed within fifteen calendar days after the date a person receives written notice of the final decision of an alleged grievable action or within fifteen calendar days of the first attempted delivery by certified mail, return receipt requested." See, *Mississippi State Personnel Board Policy and Procedure Manual* Section 10.7.4. Boyd's Notice of Appeal filed with the Mississippi Employee Appeals Board reflects that she was terminated from employment on January 12, 2012. Thus, Boyd's appeal was required to be filed with the Mississippi Employee Appeals Board by January 26, 2012.

Boyd's appeal was not filed until May 31, 2012. Section 10.7.6 of the *Mississippi State Personnel Board Policy and Procedure Manual* provides "when an appeal is filed, the EAB shall determine whether or not it has jurisdiction. If not, the EAB shall on its own motion dismiss same and mail or deliver a copy of the Order of Dismissal to all parties."

Because Boyd did not file her Notice of Appeal until May 31, 2012, her Notice of Appeal was not timely filed and the Mississippi Employee Appeals Board lacks jurisdiction

to hear her appeal. For this reason, Boyd's appeal to the Mississippi Employee Appeals Board is DISMISSED with prejudice.

SO ORDERED THIS THE 4 DAY OF June, 2012.

MISSISSIPPI EMPLOYEE APPEALS BOARD

By:   
MICHAEL N. WATTS  
Presiding Hearing Officer