

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

CASSANDRA JEFFERSON

FILED

APPELLANT

MAY 05 2016

VS.

EMPLOYEE APPEALS BOARD

DOCKET NO.: 15-052

MISSISSIPPI VETERANS AFFAIRS BOARD

RESPONDENT

FULL BOARD ORDER

Appellant, Cassandra Jefferson (“Jefferson”) filed an appeal to the Mississippi Employee Appeals Board (“MEAB”). Jefferson appealed the Order entered by Chief Hearing Officer Michael N. Watts on March 8, 2016. We have reviewed the record and briefs in this matter, and find the decision of Hearing Officer Watts should be affirmed.

The Appellant was employed as a Direct Care Worker at the State Veterans Home in Jackson, Mississippi and was in a Non-State Service Time Limited position. On December 23, 2015, Appellant was terminated following an administrative investigation into the actions of the Appellant, including improper conduct and use of abusive and threatening language toward other staff members.

On January 26, 2016, the Respondent submitted exhibits which included an Affidavit of Karen Tackett, Mississippi Veterans Affairs Board Personnel Director, stated that Ms. Jefferson, while employed as a Direct Card Worker at the State Veterans Home in Jackson, Mississippi, was in a Non-State Service Time Limited position. Ms. Tackett also provided exhibits to her Affidavit which confirmed that Ms. Jefferson’s status was that of a Non-State Service employee. In Jefferson’s Response dated February 8, 2016, she asserted that she was not aware that she was

a non-State service employee. She did not provide any relevant evidence to raise a genuine factual issue that Ms. Tackett's testimony in her Affidavit was not true.

As a non-State service employee, MVAB could terminate Ms. Jefferson for any reason so long as such reason for termination was not discriminatory. *See* Chapter 9.2, D. of the *Mississippi State Employee Handbook*. Ms. Jefferson did not allege, in either appeal or any of her documentation with the Mississippi Employee Appeals Board, that her termination was based on a discriminatory reason as set forth in Chapter 9.2, D. of the *Mississippi State Employee Handbook*.

After review, we affirm Hearing Officer Watts' Order. Jefferson failed to provide satisfactory documentation to prove that she was not a non-state service limited employee. It is clear from the record that Jefferson was not a state service protected employee.

Based upon the foregoing, the Order of Chief Hearing Officer Michael N. Watts, dated February 23, 2016, is hereby Affirmed.

So ORDERED, on this the 5th day of May, 2016.

MISSISSIPPI EMPLOYEE APPEALS BOARD

A handwritten signature in black ink, appearing to read "Grant M. Fox", written over a horizontal line.

GRANT M. FOX