

Issue: Permission to Appeal/agency seeks permission to appeal ruling #8018; Ruling  
Date: May 11, 2005; Ruling #2005-1035; Agency: Department of Corrections;  
Outcome: permission to appeal granted.



***COMMONWEALTH of VIRGINIA***  
***Department of Employment Dispute Resolution***

**APPEAL REVIEW RULING OF DIRECTOR**

In the matter of Department of Corrections  
Ruling No. 2005-1035  
May 11, 2005

Pursuant to Va. Code 2.2-3006(B), the Department of Corrections (agency) seeks approval from the Director of this Department to appeal the final hearing decision in Case No. 8018 on the basis that it is contradictory to law. Because there is no evidence that the agency's appeal is based on any improper purpose such as to harass or cause delay, its request is granted. The agency may now file a notice of appeal with the Circuit Court in the jurisdiction in which the grievance arose. Any such notice must be filed within 30 calendar days of April 28, 2005, the date the hearing decision became final.<sup>1</sup> Approval to proceed with the circuit court appeal in no way reflects the substantive merits of the appeal or addresses the jurisdiction of the circuit court.

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Claudia T. Farr  
Director

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<sup>1</sup> A hearing decision becomes final when the 15 calendar day period for filing requests for administrative review has expired and neither party has filed such a request. *Grievance Procedure Manual* § 7.2 (d).