

Issue: Compliance – Grievance Procedure (Other Issue); Ruling Date: June 24, 2011; Ruling No. 2011-3019; Agency: Department of Correctional Education; Outcome: Agency In Compliance.



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

**COMPLIANCE RULING OF DIRECTOR**

In the matter of Department of Correctional Education  
Ruling Number 2011-3019  
June 24, 2011

The grievant as requested that this Department issue a ruling that would “recuse” certain specific Department of Correctional Education (agency) employees from handling matters related to her grievance. The grievant states that “there is a definite conflict of interest that exists which will prohibit me from obtaining a fair and ethical hearing. In addition, the individuals are potential witnesses regarding material facts as they relate to the grievance that has been filed.”<sup>1</sup> This Department finds no merit to the grievant’s request. There is no indication, and the grievant has presented none, that would suggest having any of the indentified individuals involved in the grievance process is somehow noncompliant with the grievance procedure. As such, this Department has no basis or authority to issue the grievant’s requested order.

This Department’s rulings on matters of compliance are final and nonappealable.<sup>2</sup>

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Claudia T. Farr  
Director

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<sup>1</sup> At this time, the grievance has been qualified and is ready to proceed for a hearing. *See* EDR Ruling No. 2011-3014.

<sup>2</sup> *See* Va. Code §§ 2.2-1001(5), 2.2-3003(G).