

Issue: Compliance – Grievance Procedure (Other Issue); Ruling Date:
December 14, 2012; Ruling No. 2013-3498; Agency: Department of Juvenile
Justice; Outcome: No ruling – no jurisdiction.



COMMONWEALTH of VIRGINIA
Department of Human Resource Management
Office of Employment Dispute Resolution

COMPLIANCE RULING

In the matter of the Department of Juvenile Justice
Ruling Number 2013-3498
December 14, 2012

The grievant in Case Numbers 9927, 9943 has sought to appeal the final hearing decision in that matter to the circuit court. The grievant and the agency disagree on the proper circuit in which such an appeal should be filed. The grievant has requested a “formal” compliance ruling from the Office of Employment Dispute Resolution (EDR) at the Department of Human Resource Management to resolve the disagreement. However, the question raised is not a matter of compliance with the grievance procedure, but a legal question of jurisdiction under the applicable section of the Virginia Code,¹ which is a determination for the appropriate circuit court. EDR does not have authority to rule on this issue.²

A handwritten signature in cursive script, appearing to read "Chris Grab", written over a horizontal line.

Christopher Grab
Director
Office of Employment Dispute Resolution

¹ Va. Code § 2.2-3006(B).

² See Va. Code §§ 2.2-1202.1; 2.2-3003.