



COMMONWEALTH OF VIRGINIA

Department Of Human Resource Management

Office of Employment Dispute Resolution

DECISION OF HEARING OFFICER

In re:

Case number: 12271

Hearing Date: June 25, 2025

Decision Issued: July 2, 2025

PROCEDURAL HISTORY

On January 23, 2025, Grievant was issued a Group II Formal Written Notice for violations for failure to appear at work.

On February 7, 2025, Grievant was issued a Group II Formal Written Notice for violations for failure to attend a standing weekly meeting.

On February 10, 2025, Grievant timely filed a grievance to challenge the Agency's action. The matter advanced to hearing.

On April 28, 2025, the Office of Employment Dispute Resolution assigned this appeal to the Hearing officer.

On June 25, 2025, a hearing was held in-person. Grievant failed to appear at this hearing. Virginia Polytechnic Institute and State University rescinded the discipline at issue.

APPEARANCES

Virginia Polytechnic Institute and State University Representative

An Equal Opportunity Employer

ISSUES

1. Whether Grievant engaged in the behavior described in the Written Notice Form 129-01-004?
2. Whether the behavior constituted misconduct?
3. Whether the Agency's discipline was consistent with law (e.g., free of unlawful discrimination) and policy?
4. Whether there were mitigating circumstances justifying a reduction or removal of the disciplinary action, and if so, whether aggravating circumstances existed that would overcome the mitigating circumstances?

DECISION

Based upon Virginia Polytechnic Institute and State University's rescission of the disciplines at issue, the matter is **MOOT**.

/s/ James Bradley Winder, Jr.

James Bradley Winder, Jr., Esq.
Hearing Officer