

BEFORE THE FOREIGN SERVICE GRIEVANCE BOARD

In the Matter Between

[Grievant]

Record of Proceeding
FSGB No. 2007-050

And

Date: September 4, 2009

Department of State

**ORDER: WITHDRAWAL AND
DISMISSAL
EXCISION**

For the Foreign Service Grievance Board:

Presiding Member:

Arthur A. Horowitz

Board Members:

Garber Davidson
Alfred O. Haynes

Special Assistant:

Joseph Pastic

Representative for the Grievant:

Sharon Papp
American Foreign Service Association

Representative for the Department:

Joanne M. Lishman
Director
Grievance Staff

Employee Exclusive Representative:

American Foreign Service Association

ORDER: WITHDRAWAL AND DISMISSAL

In its November 18, [Year #1] decision in the subject case, the Foreign Service Grievance Board (Board) directed the Department to allow grievant to resubmit an application for review of his initial salary offer and to reconsider its initial salary determination in light of the amended application. The Department thereafter conducted the second salary review and reported its findings to both grievant and the Board. Grievant then requested an opportunity to file a brief in support of his contention that the Department incorrectly performed the salary review required by the Board's decision.

On August 28, [Year #2], after grievant had filed his brief but before the Department had responded, grievant filed the following statement: "By this notice, the Grievant hereby withdraws his grievance appeal" The Board construes the foregoing statement as a request that grievant's pending challenge to the Department's second salary review and determination be withdrawn. The Board therefore dismisses grievant's challenge to the second salary review conducted by the Department pursuant to the November 18, [Year #1] Board decision; enters this notice in the Record of Proceedings (ROP); closes the ROP; and closes the case.