

BEFORE THE FOREIGN SERVICE GRIEVANCE BOARD

In the Matter Between

██████████
Grievant

Record of Proceedings
FSGB Case No. 2015-040

And

September 14, 2016

Department of State

ORDER: Continuation of Interim Relief

EXCISED

For the Foreign Service Grievance Board:

Presiding Member:

Arthur A. Horowitz

Board Members:

Harlan F. Rosacker

Nancy M. Serpa

Special Assistant

Andrew D. Large

Representative for the Grievant:

Pro se

Representative for the Department:

Melinda P. Chandler
Director, HR/G

Employee Exclusive Representative:

American Foreign Service Association

ORDER: CONTINUATION OF INTERIM RELIEF

I. BACKGROUND

On April 21, 2015, grievant filed an agency-level grievance with the Department contesting its findings in a disciplinary proceeding in which it imposed a 14-day suspension without pay. The Department upheld the charges and mitigated the penalty to six days in a decision dated August 12, 2015. Grievant filed an appeal with this Board on August 25, 2015. In its September 2, 2015, letter acknowledging receipt of [REDACTED]' grievance appeal, the Board granted Interim Relief, without objection from the Department, until August 24, 2016, or the issuance of a decision on the appeal, whichever came first.

The grievant's supplemental submission was received on January 15, 2016; the Department's response was received on March 1, 2016, and the grievant's rebuttal was received on April 6, 2016. Supplementary filings were made by the parties on April 13 and April 19, 2016, respectively, and the record of proceedings was closed on May 3, 2016.

II. DISCUSSION

22 U.S.C. § 4136 (8) authorizes the Board to extend interim relief "if it determined that the delay is due to the complexity of the case . . . or to circumstances beyond the control of the agency, the Board, or the grievant." The Board finds that the complexity of this case, and the protracted nature of the proceedings to date, support a decision to extend interim relief.

III. ORDER

Interim Relief is extended to October 14, 2016, or until the Board reaches a decision or the case is settled – whichever comes first.

For the Foreign Service Grievance Board:



Arthur A. Horowitz
Presiding Member



Harlan F. Rosacker
Member



Nancy M. Serpa
Member