



paid at step 8 of the principal executive manager D range. After one year, ODOT was to increase Appellant's salary to step 9, plus a 10 percent pay-line exception. ODOT confirmed these terms in writing on April 24, 2003. By letter dated December 19, 2003, ODOT notified Appellant that, due to a wage freeze, he would not receive the agreed-upon raise.

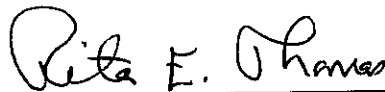
This Board has limited jurisdiction concerning management service appeals. ORS 240.570, the governing statute for management service appeals, provides that management service employees may only appeal removal from management service, assignment, reassignment, transfer, and discipline such as reduction in salary.

Appellant alleges that he was denied a salary increase. In *Mitchell v. Teacher's Standards and Practices Commission*, Case No. MA-8-89 (August 1989), we held that an agency's failure to pay a salary increase, which had been promised when a management service employee had been hired, was not an action which a management service employee could appeal under ORS 240.570(3). This Board lacks jurisdiction over this dispute and therefore will dismiss the appeal.

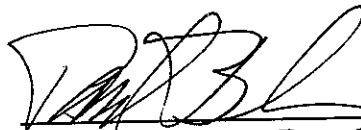
ORDER

The appeal is dismissed for lack of jurisdiction and lack of prosecution. *Martin v. Fairview Training Center*, Case No. MA-3-99 (June 1999).

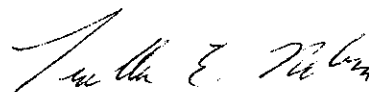
DATED this 12<sup>th</sup> day of February 2004.



Rita E. Thomas, Chair



Paul B. Gamson, Board Member



Luella E. Nelson, Board Member

This Order may be appealed pursuant to ORS 183.482.