

EMPLOYMENT RELATIONS BOARD

OF THE

STATE OF OREGON

Case No. MA-020-09

(MANAGEMENT SERVICES APPEAL)

ADELAIDA SOLIS TORRES,)	
)	
Appellant,)	
)	
v.)	DISMISSAL ORDER
)	
STATE OF OREGON,)	
DEPARTMENT OF HUMAN)	
SERVICES, OFFICE OF HUMAN)	
RESOURCES,)	
)	
Respondent.)	
_____)	

Adelaida Solis Torres, College Place, Washington, *pro se*.

Francis J. Connell, III, Senior Assistant Attorney General, Labor and Employment Section, Department of Justice, Salem, Oregon, represented Respondent.

On November 19, 2009, Appellant Adelaida Solis Torres timely filed this appeal under the State Personnel Relations Law (SPRL), challenging her removal from state management service effective October 23, 2009. At the time of her removal, Solis Torres was employed by the Department of Human Services, Office of Human Resources as a Principal Executive Manager B. Solis Torres waived her right to a hearing within 30 days and, by agreement of the parties, a hearing date was set for January 14, 2010.

On January 12, 2010, two days before the scheduled hearing, Solis Torres requested a hearing postponement in order to obtain legal counsel. The Administrative Law Judge (ALJ) granted the request. On March 9, 2010, the ALJ notified the parties of

possible hearing dates and set a March 19 deadline to respond. Solis Torres did not respond to the ALJ and there is no indication in the record that she retained legal counsel. Telephone messages left for Solis Torres by the Employment Relations Board staff were not returned.

On March 29, 2010, the ALJ sent a letter to Solis Torres notifying her of an April 7, 2010 deadline to respond to the notice of rescheduled hearing dates or face dismissal of her case for failure to prosecute. Solis Torres did not respond. We therefore dismiss this case for failure to prosecute. *Monem v. State of Oregon, Department of Corrections*, Case No. MA-5-07 (Dismissal Order, November, 2007).

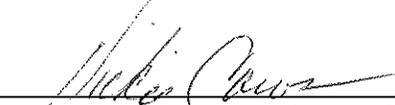
ORDER

The appeal is dismissed.

DATED this 7 day of June, 2010.



Paul B. Gamson, Chair



Vickie Cowan, Board Member



Susan Rossiter, Board Member

This Order may be appealed pursuant to ORS 183.482.