

IDAHO PERSONNEL COMMISSION
304 N. 8th St. – Third Floor
P. O. Box 83720
Boise, Idaho 83720-0066
Phone: (208) 854-3080

IDAHO PERSONNEL
COMMISSION

MAY 10 2013

FILED

IDAHO PERSONNEL COMMISSION
STATE OF IDAHO

Lara Millich,)	
)	
Appellant,)	IPC NO. 13-07
)	
vs.)	ORDER OF DISMISSAL
)	
Idaho State Treasurer's Office,)	
)	
)	
Respondent.)	
_____)	

Lara Millich ("Appellant") was a non-classified employee of the Idaho State Treasurer's Office ("Respondent"). By email to the Idaho Personnel Commission ("Commission") on April 24, 2013, Appellant appeals her termination from employment by Respondent. Appellant, as stated above, was a non-classified employee of the Respondent prior to termination. Idaho Code § 67-5303(c). This is confirmed by the State of Idaho Employee Information System Classification Inquiry, a document available upon request of either party, subject to redaction of Appellant's social security number.

Appellant's appeal is dismissed pursuant to IDAPA 15.04.01.201.04 (DHR Rule 201.04). The Commission does not have jurisdiction to entertain this appeal because Appellant is a non-classified employee. Idaho Code § 67-5316, in relevant part, limits appeals to the Commission to classified employees. See Idaho Code §67-5316(1)(a)(b).

The Commission is without jurisdiction, power and authority to entertain or accept Appellant's appeal since she was a non-classified employee.

For this reason, Appellant's appeal is hereby DISMISSED.

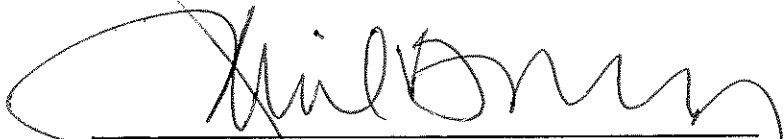
STATEMENT OF APPEAL RIGHTS

This decision is the final order of the Commission pursuant to IDAPA 15.04.01.201.04 (DHR Rule 201.04). Either party may appeal this decision to the District Court. A notice of appeal must be filed in the District Court within forty-two (42) days of the filing of this decision. Idaho Code § 67-5317(3).

The District Court has the power to affirm, or set aside and remand the matter to the Commission upon the following grounds, and shall not set the same aside on any other grounds:

- (1) That the findings of fact are not based on any substantial, competent evidence;
- (2) That the commission has acted without jurisdiction or in excess of its powers;
- (3) That the findings of fact by the commission do not as a matter of law support the decision. Idaho Code § 67-5318.

BY ORDER OF THE
IDAHO PERSONNEL COMMISSION



Mike Brassey, Commission Chair

CERTIFICATE OF SERVICE

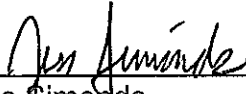
I HEREBY CERTIFY that a true and correct copy of the ORDER OF DISMISSAL in *Lara Millich v. Idaho State Treasurer's Office*, was delivered to the following parties by the method stated below on this 10th day of May 2013.

FIRST CLASS MAIL

Lara Millich
11070 W. Rose Lake St.
Star, ID 83669

STATEHOUSE MAIL

Laura Steffler
Chief Deputy Treasurer
Idaho State Treasurer's Office



Jess Simonds
Secretary to Idaho Personnel Commission