

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

RACHEL L. CARR	:	No. 460 MAL 2018
	:	
	:	
v.	:	Petition for Allowance of Appeal from
	:	the Order of the Commonwealth Court
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION	:	
AND COMMONWEALTH OF	:	
PENNSYLVANIA, STATE CIVIL SERVICE	:	
COMMISSION	:	
	:	
	:	
PETITION OF: PENNSYLVANIA	:	
DEPARTMENT OF TRANSPORTATION	:	

ORDER

PER CURIAM

AND NOW, this 8th day of January, 2018, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by Petitioner, are:

(1) Is the Commonwealth Court's decision in conflict with the U.S. Supreme Court's rulings in *Pickering* [*v. Bd. of Educ. of Twp. High Sch. Dist.*, 391 U.S. 563 (1968)] and its progeny, which allow a government employer to terminate an employee on the basis of their speech, even when it touches upon a matter of public concern, so long as the employer can demonstrate that an adverse effect could be reasonably foreseen?

(2) Did the Commonwealth Court err as a matter of law by failing to give sufficient weight to the public importance, or lack thereof, of Carr's Facebook comments, as required by *Pickering* and its progeny?

(3) Did the Commonwealth Court err as a matter of law by failing to give sufficient weight to the public importance, or lack thereof, of Carr's Facebook comments, as required by the Pennsylvania Supreme Court in *Sacks*?