

ORDER OF THE STATE PERSONNEL BOARD (ON REMAND)

JOHN RODGERS,

Complainant,

vs.

COLORADO DEPARTMENT OF HUMAN SERVICES, COLORADO MENTAL
HEALTH INSTITUTE AT PUEBLO,

Respondent.

The State Personnel Board (the "Board") met in public session on Tuesday, February 19, 2002. During this public meeting, the Board considered the record on appeal, including but not limited to:

1. Order Granting Petition for Reconsideration, In Part and Amended Initial Decision of the Administrative Law Judge
2. Court of Appeals Order Reversed and Cause Remanded with Directions
3. Order of the State Personnel Board (On Remand)
4. Order Affirmed in Part, Reversed in Part, and Case Remanded with Directions
5. Mandate

In response to the November 23, 2001 Order Affirmed in Part, Reversed in Part, and Case Remanded with Directions of the Court of Appeals and Mandate issued February 4, 2002, the Board voted to remand the matter to an Administrative Law Judge ("ALJ") to issue an order that the parties submit a proposed order to the ALJ with a calculation of the proper amount of interest, as awarded to Respondent.

This order reflects the affirmative vote of the following Board members: Ms. Salkind, Ms. Siderius, Mr. Zakhem, and Ms. Daly. Ms. Lottner was absent.

Dated this _____ day of
February, 2002.

Melanie Daly
Board Chair
State Personnel Board
1120 Lincoln Street, Suite 1420
Denver, CO 80203

CERTIFICATE OF MAILING

This is to certify that on the _____ day of February, 2002, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD (ON REMAND)** in the United States mail, postage prepaid, addressed as follows:

David J. Bruno, Esq.
Bruno, Bruno & Colin, P.C.
1560 Broadway, Suite 1099
Denver, CO 80202-5143

and in the interagency mail, addressed as follows:

Beverly Fulton
First Assistant Attorney General
Legal Counsel to CMHIP
1600 West 24th Street
Pueblo, CO 81003