

ORDER OF THE STATE PERSONNEL BOARD

SPIRO KOINIS,

Complainant,

vs.

DEPARTMENT OF PUBLIC SAFETY,

Respondent.

The State Personnel Board (the "Board") met in public session on Tuesday, June 18, 2002. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge
2. Respondent's Opening Brief on Cross Appeal
3. Complainant's Opening Brief
4. Complainant's Answer Brief on Cross Appeal

After a short discussion of termination versus resignation and the determination that Complainant's resignation did not amount to constructive discharge, the Board voted to adopt the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge ("ALJ") and to adopt the Initial Decision.

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

Dated this _____ day of
July, 2002.

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

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by the decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11) C.R.S. (2001), as provided in Section 24-50-125.4(3), C.R.S. (2001).

In the event the decision is appealed, the Board requests that a copy of the Notice of Appeal filed with the Court of Appeals also be filed with the State Personnel Board at: 1120 Lincoln Street, Suite 1420, Denver, CO 80203. Such will aide in the timely preparation of the record.

CERTIFICATE OF MAILING

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

Barry D. Roseman, Esq.
Roseman & Kazmierski, LLC
899 Logan Street, Suite 203
Denver, CO 80203

And in the interagency mail, addressed as follows:

John A. Lizza
Assistant Attorney General
Criminal Justice Section
1525 Sherman Street, 5th Floor
Denver, CO 80203
