

ORDER OF THE STATE PERSONNEL BOARD

MILTON YARBOUGH,

Complainant,

vs.

DEPARTMENT OF TRANSPORTATION,

Respondent.

The State Personnel Board (the "Board") met in public session on Tuesday, February 19, 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. Complainant's Brief
3. Motion to Exceed Page Limit by 1/4 Page and Answer Brief

The Board voted to adopt the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge and adopt the Initial Decision.

This order represents 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

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this 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 February, 2002, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Michael O'Malley
1444 Stuart Street
Denver, CO 80204

And in the interagency mail, addressed as follows:

Susan J. Trout
Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, CO 80203
