

**ORDER OF THE STATE PERSONNEL BOARD**

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DONNA HUBBARD,

Complainant,

vs.

DEPARTMENT OF HIGHER EDUCATION, UNIVERSITY OF NORTHERN  
COLORADO,

Respondent.

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The State Personnel Board (the "Board") met in public session on Tuesday, August 20, 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 Bill of Costs
3. Respondent's Brief on Appeal
4. Complainant's Answer Brief

After a discussion of progressive discipline and the grounds for an award of attorney fees, the Board voted to adopt the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge, to adopt the Initial Decision, and to remand the matter to the Administrative Law Judge for a determination of the amount of fees and costs to be awarded to Complainant.

This order represents the affirmative vote of the following Board members: Ms. Salkind, Ms. Siderius, and Ms. Lottner. Ms. Garcia and Mr. Zakhem voted in opposition to the motion.

Dated this \_\_\_\_\_ day of  
August, 2002.

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Joyce Lottner  
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 August, 2002, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Nora V. Kelly, Esq.  
1776 Lincoln Street, Suite 1014  
Denver, CO 80203

And in the interagency mail, addressed as follows:

Jill M. M. Gallet  
Joseph F. Haughain  
Assistant Attorneys General  
Employment Section  
1525 Sherman Street, 5<sup>th</sup> Floor  
Denver, CO 80203

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