STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2006B058

ORDER OF THE STATE PERSONNEL BOARD

NORMA JEAN MAGGARD,

Complainant,

vs.

DEPARTMENT OF HUMAN SERVICES, COLORADO STATE VETERANS HOME AT FITZSIMONS,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on March 20, 2007. 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. Opening Brief;
3. Norma Jean Maggard's Brief in Opposition;
4. Amended Reply Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Findings of Fact and Conclusions of Law 1, 2, and 4 in the Initial Decision of the Administrative Law Judge are adopted. Conclusion of Law 3, holding that the discipline imposed was not within the range of reasonable alternatives, is reversed.

IT IS FURTHER ORDERED that the Initial Decision of the Administrative Law Judge, as modified by the Board, is adopted and made an Order of the Board.

Dated this 21 day of March, 2007.

John Zakhem, Board Chair
State Personnel Board
633 17th Street, Suite 1320
Denver, Colorado 80202-3604

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., as provided in Section 24-50-125.4(3), C.R.S.

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S., the party filing the appeal with the Court of Appeals must serve the State Personnel Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. In addition to serving the State Personnel Board with a copy of the Notice of Appeal, the party filing the appeal with the Court of Appeals must name the State Personnel Board as a party (appellee) to the appeal. Section 24-4-106(11)(d), C.R.S.

CERTIFICATE OF MAILING

This is to certify that on the 22nd day of March, 2007, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Robert W. Thompson, Esq.
Attorney at Law
366 South Victor Street
Aurora, Colorado 80012

and in the interagency mail, to:

Joseph Haughain
Assistant Attorney General
Employment Law Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

Andrea C. Woods