

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2006G005

ORDER OF THE STATE PERSONNEL BOARD GRANTING PETITION FOR HEARING

MARK SCHORNACK,

Complainant,

vs.

DEPARTMENT OF HUMAN SERVICES, PUEBLO REGIONAL CENTER,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on October 18, 2005. During this public session, the Board considered the following, including but not limited to, the Preliminary Recommendation of the Administrative Law Judge.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Preliminary Recommendation of the Administrative Law Judge be adopted, and that the petition for hearing be **GRANTED** on the following issues:

1. Did Respondent commit harassment based on gender against Complainant;
2. Did Respondent discriminate against Complainant based on gender in removing him from his Day Program Coordinator position, and did the agency engage in procedural irregularities or violations of law in that removal, thereby demonstrating pretext for intentional discrimination;
3. In view of the conduct Complainant alleges Weiser engaged in, is Complainant entitled to reinstatement of leave balances taken during stress related leave.

Dated this _____ day of
October, 2005.

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

CERTIFICATE OF MAILING

This is to certify that on the _____ day of October, 2005, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD GRANTING PETITION FOR HEARING** in the United States mail, postage prepaid, addressed as follows:

Mark Schornack
1 Gleneagles Court
Pueblo, Colorado 81001

And in interagency mail to:

Stacy L. Worthington
First Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203
