

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2006G045

ORDER OF THE STATE PERSONNEL BOARD GRANTING PETITION FOR HEARING

DAVA PORTALES,

Complainant,

vs.

DEPARTMENT OF LABOR AND EMPLOYMENT, UNEMPLOYMENT INSURANCE SECTION,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on April 18, 2006. During this public session, the Board considered the Preliminary Recommendation of the Administrative Law Judge.

Based upon the Board's review and consideration,

The Board voted to adopt, in part, the Preliminary Recommendation of the Administrative Law Judge, granting the Complainant a hearing on the basis that it appears the appointing authority violated Complainant's rights under § 24-34-401, et seq., C.R.S. The Board declined to adopt the other grounds articulated in the Preliminary Recommendation of the Administrative Law Judge as they are outside the scope of the controlling statute, § 24-50-123(3), C.R.S., for granting a hearing. This does not limit the scope of the issues that may be presented at hearing.

IT IS HEREBY ORDERED that the Preliminary Recommendation of the Administrative Law Judge is adopted, and that the petition for hearing is **GRANTED**.

Dated this 18th day of
April, 2006.



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

CERTIFICATE OF MAILING

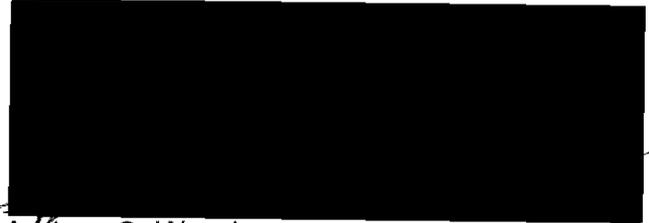
This is to certify that on the 21st day of April, 2006, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD GRANTING PETITION FOR HEARING** in the United States mail, postage prepaid, addressed as follows:

Barry D. Roseman, Esq.



and in the interagency mail to:

Jill M. M. Gallet



Andrea C. Woods