

**STATE PERSONNEL BOARD, STATE OF COLORADO**  
**Case No. 2009D001**

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**ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR  
DECLARATORY ORDER**

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**RICH GONZALES, STATE PERSONNEL DIRECTOR,**  
Petitioner.

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This matter is before the Colorado State Personnel Board (the "Board") at its regularly scheduled public session held on February 24, 2009. During this public session, the Board reviewed the record, including but not limited to:

1. Opening Brief;
2. Respondent's Opening Brief.

Based on the Board's review:

**IT IS HEREBY ORDERED** that the Petition for Declaratory Order is denied, and the Board will conduct limited rulemaking regarding certain issues raised in the Petition for Declaratory Order, including defining such terms as "principal department." The Board also will prepare an article which is intended to provide guidance and to address the questions raised in the Petition for Declaratory Order as well questions raised during the Layoff Training conducted February 5, 2009, and which will be published on the Board's website.

Dated this 25<sup>th</sup> day  
of February, 2009.



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Rich Djokic, 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.

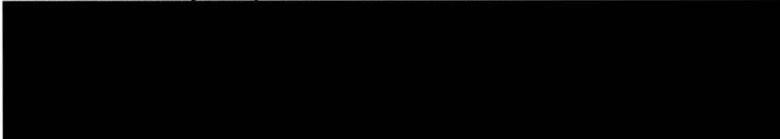
### CERTIFICATE OF MAILING

This is to certify that on the 26<sup>th</sup> day of February, 2009, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR DECLARATORY ORDER** in the United States mail, postage prepaid, addressed as follows:

Mark A. Schwane, General Counsel



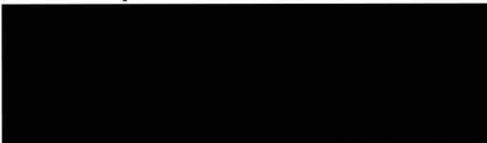
Lonnie Westphal, Executive Director

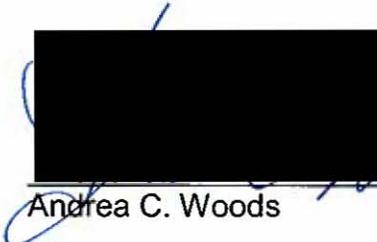


John A. Lizza



Christopher J. Puckett



  
Andrea C. Woods