

ORDER OF THE STATE PERSONNEL BOARD

VALERIE SCHIERMAN

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 July 21, 2009. During this public session, the Board considered the record on appeal, including but not limited to:

1. Dismissal Order;
2. Complainant's Opening Brief;
3. Respondent's Answer Brief;
4. Complainant's Reply Brief.

Based upon the Board's review and consideration,

In this matter two separate motions failed. The first motion, for which there was no second, was to reverse the Dismissal Order, and the second motion, which was seconded, was to adopt the Dismissal Order. Only two Board members voted in support of the second motion, to adopt the Dismissal Order, and two Board members voted in opposition to the motion.

IT IS HEREBY ORDERED, therefore, that the Dismissal Order stands.

Dated this 27 day of
July, 2009.


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.

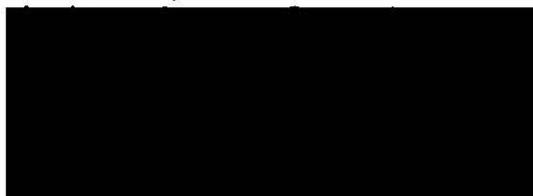
CERTIFICATE OF MAILING

This is to certify that on the 27 day of July, 2009, I electronically served copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, addressed as follows:

McNamara, Roseman, Martinez & Kazmierski LLP
Barry Roseman, Esq.



Brooke Meyer



Andrea C. Woods