

ORDER OF THE STATE PERSONNEL BOARD

EDWARD W. GIETL,
Complainant,

vs.

DEPARTMENT OF PUBLIC SAFETY,
Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on December 20, 2011. 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. Respondent-Appellant's Opening Brief;
3. Response Brief with Request for Oral Argument;
4. Reply Brief of the Department of Public Safety.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that Complainant's Request for Oral Argument is denied on the grounds that the Board had a complete record of the proceedings before it and the parties have briefed their arguments on appeal.

IT IS FURTHER ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge and the Initial Decision of the Administrative Law Judge are **ADOPTED** and made an Order of the Board, based on the following grounds: the Board had access to the complete record in hard copy form at the time of Board review; the parties had access to the complete record in hard copy form at the time of the briefing on the appeal to the Board; and the Board's administrative staff will prepare a Second Amended Certificate of Record of Administrative Proceedings Before the State Personnel Board which includes all of the record as it exists in hard copy form at the time of the Board review of this Initial Decision of the Administrative Law Judge.

Dated this 27 day
Of December, 2011.



Rich Djokic, Board Chair
State Personnel Board
633 17th Street, Suite 1320
Denver, CO 80202-3604

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by the 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.

CERTIFICATE OF MAILING

This is to certify that on the 27th day of December, **2011**, I electronically served a true copy of the foregoing **ORDER OF THE STATE PERSONNEL BOARD** as follows:

Susan P. Klopman Esq.



Diane Dash A.A.G.



Andrea C. Woods