

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2015S017

ORDER OF THE STATE PERSONNEL BOARD GRANTING IN PART AND DENYING IN
PART THE PETITION FOR HEARING

KEVIN JOHNSTON
Complainant,

vs.

DEPARTMENT OF CORRECTIONS,
Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled meeting held on March 21, 2017. During this public session, the Board considered the Preliminary Recommendation of the Administrative Law Judge.

Based upon its review and consideration of the Preliminary Recommendation, the Board finds there is a sufficient basis to uphold the Preliminary Recommendation of the Administrative Law Judge to grant the petition for hearing on the claim of age discrimination and deny a hearing for the claim of retaliation.

IT IS HEREBY ORDERED that the Preliminary Recommendation of the Administrative Law Judge is adopted, and that the petition for hearing is **GRANTED** on the claim of age discrimination and **DENIED** on the claim of retaliation.

Dated this 21st day
Of March, 2017.



Neil Peck, Chair
State Personnel Board
1525 Sherman Street, 4th Floor
Denver, CO 80203

NOTICE OF APPEAL

1. To abide by the decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 49 days pursuant to Section 24-50-125.4(3), C.R.S., in the method described at Section 24-4-106(11), C.R.S., and in accordance with applicable Colorado Appellate Rules.

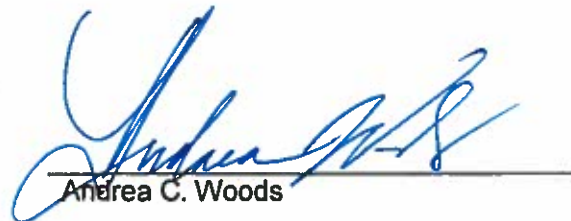
In the event this decision is appealed, the party filing the appeal with the Court of Appeals must name in the appeal and serve such appeal upon the State Personnel Board and all other parties who have appeared as parties to this action. See Section 24-4-106(11)(d), C.R.S. The State Personnel Board can be served at: 1525 Sherman Street, 4th Floor, Denver, Colorado 80203.

CERTIFICATE OF MAILING

This is to certify that on the 21st day of March, 2017, I electronically served a true copy of the foregoing **ORDER OF THE STATE PERSONNEL BOARD GRANTING IN PART AND DENYING IN PART THE PETITION FOR HEARING** as follows:

William S. Finger, Esq.
Casey Leier, Esq.
Finger Newcomb & Thigpen, P.C.
PO Box 1477
Evergreen, CO 80437-1477
bill@fntlegal.com
casey@fntlegal.com

Dimonique McGruder, Esq.
Attorney Fellow
1300 Broadway, 10th Floor
Denver, CO 80203
dimonique.mcgruder@coag.gov



Andrea C. Woods