



COLORADO

Executive Director's Office

Department of Personnel
& Administration

1525 Sherman St.
Denver, CO 80203

NOTICE OF PROPOSED RULEMAKING

TO: Secretary of State;
All State Government Departments, Agencies, Institutions and Other Interested Parties

FROM: June Taylor, Executive Director
Department of Personnel & Administration

DATE: November 14, 2016

SUBJECT: NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF PERMANENT RULES

The Executive Director of the Department of Personnel & Administration (DPA) will hold a public hearing on December 19, 2016, to consider adoption of personnel director's administrative procedures for the Division of Human Resources (found at 4 CCR 801-1). The December 19, 2016 public hearing will commence at 1:00 p.m. in Room 103, First Floor, at 1525 Sherman St. All interested persons are urged to attend this public hearing and to submit written comments for consideration concerning the proposed rules.

The Hearing Officer will take comments as follows:

In order to facilitate review of written comments by the Hearing Officer, all interested parties are strongly encouraged to submit their written comments prior to the hearing;

Written comments submitted prior to the hearing must be submitted to Doug Platt at 1525 Sherman St., Denver, CO 80203, or via email at doug.platt@state.co.us on before 5:00 p.m. on December 12, 2016;

All written comments submitted on or before 5:00 p.m. on December 12, 2016, will be posted on the DPA website and linked to the Office of the Division of Human Resources website, on or before 5:00 p.m. on December 13, 2016.

Any written comments submitted after 5:00 p.m. on December 12, 2016, must be submitted a) at the rulemaking hearing on December 19, 2016; b) in hard copy format with an original and five (5) copies.

Oral comment may be provided at the hearing as follows:

- Each speaker will be allowed to testify;
- All persons wishing to provide oral comment must sign up to do so at the hearing, noting whom they represent and/or if they are ceding any portion of their time to another speaker;

- Any person signing up to speak may cede any portion or all of their time to another speaker, however, no speaker may be ceded the time of more than two other speakers, and
- At her discretion, the Hearing Officer may limit or extend the time of any speaker.

After taking public comment the Hearing Officer will commence deliberations regarding adoption of the proposed permanent rules.

Reasonable accommodation will be provided upon request for persons with disabilities. If you are a person with a disability who requires an accommodation to participate in this public hearing, please notify Doug Platt at 303-866-6095 or via email at doug.platt@state.co.us by no later than December 12, 2016.

The Executive Director will consider changes to Chapters 3, 5, and 11 of the personnel director's administrative procedures for the Division of Human Resources, found at 4 CCR 801-1. The rules are being promulgated primarily to address matters regarding Lateral Adjustments, Time Off, and State Benefit Plans.

The proposed rules, notice of proposed rulemaking and the proposed statement of basis, specific statutory authority and purpose will be available for review by interested persons on or before close of business on November 14, 2016, at the Department's Executive Director's office, 1525 Sherman St., 5th floor, Denver, Colorado 80203, or on the Executive Director's website, "What's New," at <http://www.colorado.gov/dpa>. In addition, they are available for review at the Division of Human Resources offices, 1525 Sherman St., 2nd floor, Denver, Colorado 80203, or on the Division of Human Resources website "What's New" at <https://www.colorado.gov/dhr>. The specific authority of the Executive Director to promulgate these rules is found at one or more of the following: the State of Colorado Constitution Article XII, Section 13, The Patient Protection and Affordable Care Act (PPACA, commonly called the Affordable Care Act), and 26 U.S.C. 63, The Family Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), Family Care Act (FCA), Uniformed Services Employment and Reemployment Rights Act (USERRA), State of Colorado Revised Statutes (C.R.S.) §§ 1-6-115, 1-6-122, 1-7-102, 8-40-101, 14-2-101, 14-15-103, 24-11-101, 24-11-112, 24-18-102, 24-33.5-825, 24-50-104, 24-50-109.5, 24-50-401, 28-1-104, 28-3-601, 28-6-602, 28-3-607, 28-3-609, and 28-3-610.



June Taylor
Executive Director
Department of Personnel & Administration