

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2016G011(c)

ORDER OF THE STATE PERSONNEL BOARD

BARBARA BLOEM,
Complainant,

vs.

DEPARTMENT OF HEALTH CARE POLICY & FINANCE,
Respondent.

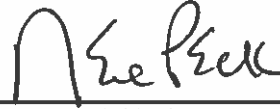
This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled meeting held on August 21, 2018. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge
2. Respondent's Opening Brief;
3. Complainant's Opening Brief;
4. Respondent's Answer Brief;
5. Complainant's Answer Brief;
6. Respondent's Reply Brief;
7. Complainant's Reply Brief (Addenda A, B and D removed);
8. Order Denying Complainant's Motion for Requesting Permission to Amend Opening Brief and Request for Reasonable Accommodation, and Granting Respondent's Motion to Strike Complainant's Amended Opening Brief;
9. Order Granting in Part, Respondent's Motion to Strike Attachments to Complainant's Reply Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the findings of fact and conclusions of law in the Initial Decision of the Administrative Law Judge affirming the Respondent's disciplinary action of termination are **ADOPTED** and made an Order of the Board. The Board **REVERSES** the findings of fact and conclusions of law of the Administrative Law Judge in the award of back pay to Complainant up to the date the evidentiary record was closed, finding that a Board Rule 6-10 meeting was conducted and the meeting was generally consistent with the procedures defined by Board Rule 6-9 and Board Rule 6-10, and that the conduct of the Rule 6-10 meeting was not so flawed as to deprive Complainant of due process and of a full and fair review of the factors enumerated in Board Rule 6-9.

Dated this 22nd day
Of August 2018.



Neil Peck, Board 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 23rd day of August 2018, I electronically served a true copy of the foregoing **ORDER OF THE STATE PERSONNEL BOARD** as follows:

Barbara Bloem
10255 Dover Street #213
Westminster, CO 80021
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Eric Freund, Esq.
Senior Assistant Attorney General
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A handwritten signature in blue ink, appearing to read "Eric Freund", is written over a horizontal line.