

State of Colorado



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State Personnel Board
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NOTICE OF RULEMAKING

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

FROM: Dana Shea-Reid, Director
State Personnel Board

DATE: September 15, 2014

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

The State Personnel Board ("Board") will hold a hearing on October 21, 2014, to consider adoption of amended permanent rules, found at 4 CCR 801, including Board Rule 1-2, Board Rule 1-26, Board Rule 4-42, Board Rule 6-10, Board Rule 6-14, Board Rule 8-28, Board Rule 8-38, Board Rule 8-39, Board Rule 8-45, Board Rule 8-47, Board Rule 8-51, and Board Rule 9-6. The October 21, 2014 public hearing will commence at 9:00 a.m. at the State Personnel Board, 1525 Sherman Street, First Floor Conference Room 104, Denver, Colorado 80203. All interested persons are urged to attend this public hearing and to submit written comments to the Board for consideration concerning the proposed rules.

The Board will take comments as follows:

1. In order to facilitate review of written comments by the Board, all interested parties are **strongly encouraged** to submit their written comments **prior** to the hearing;
2. Written comments submitted prior to the hearing must be submitted to Jane Sprague at the State Personnel Board, 1525 Sherman Street, 4th Floor, Denver CO 80203, or to jane.sprague@state.co.us on before **5:00 p.m. on October 17, 2014.**
3. All written comments submitted on or before 5:00 p.m. on October 17, 2014, will be posted on the Board's website.

4. Any written comments submitted **after** 5:00 p.m. on October 17, 2014, must be submitted: a) at the rulemaking hearing on October 21, 2014; and b) in hard copy format with an original and ten copies.
5. Oral comment may be provided at the hearing as follows:
 - a. Each speaker will be allowed four minutes to testify;
 - b. 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;
 - c. 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 (for a total of up to twelve minutes); and
 - d. At their discretion, the Board may limit or extend the time of any speaker.

After taking public comment at the rulemaking hearing, a public meeting of the State Personnel Board will be held immediately following the rulemaking hearing on Tuesday, October 21, 2014, at the State Personnel Board, 1525 Sherman Street, First Floor Conference Room 104, Denver, CO 80203. The purpose of this meeting will be for the Board to conduct its deliberations regarding adoption of the proposed amended permanent rules.

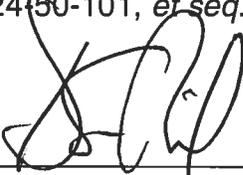
Reasonable accommodation will be provided upon request for persons with disabilities. If you are a person with a disability who requires an accommodation to participate in this public hearing, please notify Jane Sprague at 303-866-5053 by October 16, 2014.

The Board will consider amendments to Board Rules as follows:

- (1) Board Rules, Chapter 1, "Organization, Responsibilities, Ethics, and Definitions," providing clarification as to Board elections (Board Rule 1-2) and Human Resource Innovation Program (Board Rule 1-26);
- (2) Board Rules, Chapter 4, "Employment and Status," including a rule concerning trial service (Board Rule 4-42);
- (3) Board Rules, Chapter 6, "Performance," including the pre-disciplinary meeting (Board Rules 6-10 and 6-14);
- (4) Board Rules, Chapter 8, "Dispute Resolution," including discrimination claims (Board Rule 8-28), the notice of appeal (Board Rules 8-38 and 8-39), information sheets (Board Rule 8-45), consolidation of cases (Board Rule 8-47), and filing (Board Rule 8-51); and
- (5) Board Rules, Chapter 9, "Fair Employment Practices," including relief in discrimination cases (Board Rule 9-6).

The proposed amended rules 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 September 25, 2014, at the State Personnel Board's offices, 1525 Sherman Street, 4th Floor, Denver, Colorado 80203, or on the State Personnel Board's website, "Rules and Rulemaking," at <http://www.colorado.gov/spb/> (Rules tab).

The specific authority of the Board to promulgate these rules is found at Article XII, §§ 13, 14 and 15 of the Colorado Constitution; the State Personnel System Act, § 24-50-101, *et seq.*, C.R.S.; and § 24-4-103, C.R.S.



Dana Shea-Reid
Director, State Personnel Board

