



COLORADO

Executive Director's Office

Department of Personnel
& Administration
1525 Sherman St.
Denver, CO 80203

PROPOSED STATEMENT OF BASIS AND PURPOSE

The State Personnel Director's Administrative Procedures ("Procedures") are found at 4 CCR 801-1. A hearing of the State Personnel Director was held on November 14, 2014, at 1525 Sherman Street, Room 513, Fifth Floor, Denver, Colorado 80203. The hearing was held by a Hearing Officer in order to modify Procedures 5-19 and 5-20 to align with the Family Care Act (§8-13.3-201 *et seq.*, C.R.S.). The State Personnel Director is exercising her authority as granted under *Colo. Const., art. XII, §§ 13, 14 and 15, §24-50-101 et seq., C.R.S.*

The Notice of Hearing was issued October 10, 2014, for publication by the Secretary of State on October 25, 2014. The proposed procedures and the proposed statement of basis and purpose have been available for review at the Executive Director's office and on the Executive Director's website since October 10, 2014. The proposed rules and the proposed statement of basis and purpose also have been available for review at the Division of Human Resources website since October 10, 2014. The Hearing Officer took testimony at the public hearing on November 14, 2014. The Hearing Officer completed deliberations on the proposed procedures on November 14, 2014. The rules were accepted through formal public hearing and approved by the Attorney General.

The general purpose of the State Personnel Director in conducting the hearing was to provide, with regards to the State Personnel Director's Administrative Procedures, for the following:

A) Modification of Procedures 5-19 and 5-20 to align with the Family Care Act.

The State Personnel Director adopted on a permanent basis, new procedures contained within 4 CCR-801-1.

The Hearing Officer finds, as required by §24-4-103(4)(b), C.R.S. that the record of the proceeding demonstrates the need for the procedures; the proper constitutional and statutory authority exists for the procedures; to the extent practicable, the procedures are clearly and simply stated so that their meaning will be understood by any required to comply with the procedures; the procedures do not conflict with other provisions of the law; and any duplication or overlapping of the procedures, if any, has been explained.

The specific authority of the State Personnel Director to promulgate these procedures is found at *Colo. Const., art. XII, §§ 13, 14 and 15; §24-50-101 et seq., C.R.S.*

The procedures adopted shall become effective January 14, 2015.

Dated this 10th day of October, 2014

A handwritten signature in blue ink that reads "Kathy Nesbitt".

Kathy Nesbitt
State Personnel Director
Department of Personnel & Administration