

State of Colorado

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STATEMENT OF BASIS AND PURPOSE

The Colorado State Personnel Board's current rules are found at 4 CCR 801. The purpose of the Rulemaking proposed for hearing on May 19, 2009, and, if necessary, May 21, 2009, is for the general clarification for the public, including state personnel system stakeholders, and efficient management of the state personnel system.

The Notice of Rulemaking was filed and issued March 30, 2009, for publication in the Colorado Register on April 10, 2009. The proposed rules and the proposed statement of basis and purpose have been available for review at the Board office and on the Board's website since April 10, 2009. The Board took testimony at a public rule-making hearing on May 19, 2009, and May 21, 2009, and conducted deliberations on these proposed amendments at its meeting on May 21, 2009. The rules were accepted through formal public hearing and approved by the Attorney General.

The following rules were adopted:

- (1) Board Rule 7-4, providing clarification regarding the deadline for an employee who files an appeal of a coerced or forced resignation;
- (2) Board Rule 7-15, providing clarification of retention areas, including the Colorado Historical Society and any offices or units created within the Governor's Office;
- (3) Board Rule 7-18, providing clarification of retention rights, including clarification of modifications to special qualifications; clarification of the concept of "occupied"; clarification of displacement of occupied positions in a class series to which an employee was previously certified; and deletion of the reference to Teacher I class as it no longer exists;
- (4) Board Rule 7-21, providing clarification that allocation pertains to a position, rather than to a class.

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

The amendments adopted shall become effective July 1, 2009.

Dated this 19th day of
May, 2009.



Rich Djokic, Chair, State Personnel Board