

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 October 20, 2009, is for the general clarification for the public, including state personnel system stakeholders, efficient management of the state personnel system, to implement recommendations of the 2009 Performance Audit conducted by the State Auditor's Office and to implement the electronic service of Board orders allowed under House Bill 09-1150.

The Notice of Rulemaking was issued August 31, 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 September 10, 2009. The Board took testimony at a public rule-making hearing on October 20, 2009, and conducted deliberations on these proposed amendments at its meeting on October 20, 2009. The rules were accepted through formal public hearing and approved by the Attorney General.

The following rules were adopted:

- (1) Board Rule 8-2, providing an employee who has filed an appeal or petition for hearing must keep the Board informed of his or her current email address during the pendency of that appeal in order to allow electronic service of Board orders as provided by House Bill 09-1150;
- (2) Board Rule 8-50(C), providing respondent five days after complainant has filed his or her information sheet within which to respond to complainant's information sheet in the discretionary hearing process in order to implement a recommendation from the 2009 Performance Audit conducted by the State Auditor's Office.

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 December 1, 2009.

Dated this 20th day of
October, 2009.


Dana Shea-Reid, Vice Chair,
State Personnel Board