

State Personnel Board Annual Whistleblower Report To the Governor

**Pursuant to State Employee Protection (Whistleblower) Act,
§ 24-50.5-107, C.R.S.
July 1, 2015, through June 30, 2016**

FY 12-13 Case¹

Arthur Robinson v. University of Colorado Denver, Information Technology Services, 2012B131 – *no finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On June 22, 2012, Complainant filed an appeal of his disciplinary termination and a Whistleblower Complaint, alleging retaliation in violation of the Whistleblower Act because of his disclosures that the University asked a co-worker to report concerns about Complainant.
- December 5, 2012, evidentiary hearing was held.
- Initial Decision of the Administrative Law Judge (ALJ) was issued on January 28, 2013, upholding the disciplinary termination of Complainant and denying the Whistleblower claim.
- May 15, 2013 Order issued dismissing Complainant’s appeal of the Initial Decision for failure to file an opening brief
- Complainant filed an appeal at the Court of Appeals.
- On May 22, 2014, the Court of Appeals issued its Order of reversal and the case remanded with directions to the Board.
- On August 22, 2014 the Board issued an Order remanding the case to the ALJ to determine the sufficiency of record.
- On October 23, 2014 the Board issued an Order adopting Initial Decision of ALJ.
- On October 31, 2014 Notice of Appeal filed by Complainant with Court of Appeals.
- November 30, 2015 Court of Appeals issued an opinion affirming Board Order.
- Petition for Writ of Certiorari filed with the State Supreme Court March 3, 2016.
- March 8, 2016 Complainant requested an extension of time to pay filing fees.
- March 17, 2016 Court of Appeals granted extension to April 4, 2016 to pay filing fees.

¹ This matter remained open during FY 15-16.

FY 14-15 Cases²

Kristina Grubb v. Department of Corrections, LaVista Correctional Facility, 2014B069 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On February 24, 2014, Complainant filed an appeal regarding her “loss of position, days off with holidays, position number” and a Whistleblower Complaint alleging retaliation in violation of the Whistleblower Act for providing information about a co-worker and an investigation of that co-worker.
- The matter scheduled for Board review on September 16, 2014.
- On September 17, 2014 Order issued by the Board granting the petition for hearing.
- January 8, 2015 Complainant filed a second appeal of administrative separation due to exhaustion of leave.
- March 2, 2015 Order of Consolidation and Continuation of Evidentiary Hearing issued by ALJ for second appeal filed by Complainant.
- On June 9, 2015 ALJ issued an Order Granting an Unopposed Motion for Extension of Time.
- Motion to dismiss based on settlement filed December 3, 2015.
- Order granting dismissal issued December 4, 2015.

Valerie Bellamy v. Department of Labor and Employment, Division of Workers' Compensation, 2014B121 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On June 27, 2014, Complainant filed an appeal of her termination alleging discrimination and a Whistleblower Complaint alleging retaliation in violation of the Whistleblower Act for her disclosure that her supervisor badgered, harassed, and berated her about the printer problems.
- On July 10, 2014 the matter was referred to the Colorado Civil Rights Division for investigation of discrimination claim.
- Unopposed Motion to Dismiss based on settlement filed April 25, 2016.
- Order Granting Unopposed Motion to Dismiss issued April 26, 2016.

Shantell Honest v. Department of Human Services, Division of Youth Corrections, Platte Valley Youth Service Center, 2014G036-*no finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On November 1, 2013, Complainant filed a petition for hearing challenging the termination of her employment during the probationary period and a Whistleblower Complaint alleging retaliation in violation of the Whistleblower Act for reporting an instance of child abuse.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- On April 2, 2014, the ALJ issued a Preliminary Recommendation that a hearing be denied.

² These matters remained open or were resolved during FY15-16.

- April 16, 2014 the Board affirmed Preliminary Recommendation denying a hearing.
- On May 16, 2014, Complainant filed an appeal at the Court of Appeals.
- March 11, 2016 Mandate issued by Court of Appeals affirming Board.

Sheldon Reneau v. Department of Corrections, La Vista Correctional Facility, 2014G099 - *This case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On June 9, 2014, Complainant filed a petition for hearing regarding his removal from his position in retaliation for filing an earlier complaint of discrimination based on sex in and unfair employment practices, in violation of the Whistleblower Act.
- Referred to Colorado Civil Rights Commission for investigation on June 17, 2014.
- May 22, 2015 No Probable Cause Opinion issued by CCRD.
- Notice of Preliminary Review and issued by ALJ on June 9, 2015.
- July 6, 2015 Order issued by ALJ granting Complainant's request for extension of time.
- July 14, 2015 Order issued by ALJ granting Respondent's request for extension of time.
- June 7, 2016 motion filed to dismiss based on settlement.
- Order granting motion to dismiss issued June 8, 2016.

FY 15-16 Cases

Douglas Schreffler v. Department of Revenue, Division of Motor Vehicles, 2015B067 - *no finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

On February 23, 2015, Complainant filed an appeal alleging termination of his employment was discriminatory based on disability, gender and religion, gun ownership and retaliation in violation of the Whistleblower Act for reports he made to OSHA and EEOC.

- On March 10, 2015 Complainant filed a Waiver of CCRD Investigation and Request to Proceed Directly to the Board.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- Evidentiary hearing set for July 24, 2015.
- August 12, 2015 Initial Decision issued by the ALJ affirming Respondent's disciplinary action.
- January 19, 2016 Initial Decision reviewed by State Personnel Board on appeal.
- Order issued by the Board February 19, 2016 adopting findings of facts and conclusions of law in the Initial Decision issued by the ALJ.

Kevin Harvey v. Department of Human Services, Youth Corrections, Marvin Foote Youth Services Center, 2015B070 - - *no finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 6, 2015, Complainant filed an appeal alleging harassment and coerced resignation in violation of the Whistleblower Act.

- An Order to Show Cause Regarding Consolidation of Complainant's Appeal and Petition for Hearing was issued by the ALJ on March 11, 2015.
- On March 25, 2015 ALJ issued an Order Consolidating Cases for this case and a prior grievance appeal (2015G075).
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- On June 4, 2015, ALJ issued an Order Granting Unopposed Motion to Change Hearing Date, Extending Prehearing Statement and Setting Date of Evidentiary Hearing.
- Hearing conducted November 18, 2015.
- January 6, 2016, Motion for Clarification (of dismissal) filed by Respondent.
- January 8, 2016 Order Granting Motion to Dismiss issued by ALJ.

Bryan L. Friberg, Sr. v. University of Colorado Boulder, Housing and Dining Services, 2015B077 - *This case has not yet gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 6, 2015, Complainant filed an appeal alleging termination of his employment was discriminatory based on disability, political affiliation, religion, veteran status and "other-participation in Army Reserves" as well retaliation in violation of the Whistleblower Act for disclosures made regarding nepotism and violations of USERRA.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- January 20, 2016 Notice of Evidentiary Hearing was issued by the ALJ scheduling the hearing for September 28, 2016.

David M. Pimentel v. Community Colleges of Colorado, Pikes Peak Community College, 2015B097 - *This case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On April 29, 2015, Complainant filed an appeal alleging termination of his employment was in retaliation for disclosures he made regarding Federal grant abuse and misuse and abuse of power, a violation of the Whistleblower Act.
- On May 1, 2015, the ALJ issued an Order to Show Cause regarding the status of the employee as an at-will or contract employee.
- On May 21, 2015, the matter was referred to Respondent for a response to the whistleblower complaint.
- On June 22, 2015 Respondent filed a motion to dismiss based on the Board's lack of jurisdiction as Complaint was an at-will employee and thus exempt from the state personnel system.
- On October 20, 2015, an Order Granting the Motion to Dismiss for lack of jurisdiction was issued by ALJ.

Greg Goldman v. Department of Transportation, 2015B108 - no finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.

- On May 29, 2015, Complainant filed an appeal alleging termination of his employment was discriminatory based on race or color and alleging retaliation in violation of the Whistleblower Act for disclosures he made regarding failures in oversight which led to the over-commitment of grant monies.
- On June 25, 2015, the matter was referred Respondent for a response to the Whistleblower Complaint.
- November 6, 2015, Notice of Hearing sent scheduling hearing for December 21, 2015.
- March 4, 2016, Initial Decision issued by ALJ affirming Respondent's action.
- March 24, 2016 Designation of Record filed by Complainant in appeal.
- March 27, 2016 Unopposed Motion to Dismiss for settlement filed.
- March 27, 2016 Order Granting Unopposed Motion to Dismiss issued by ALJ.

Joe Chacon v. Department of Corrections, 2016B009 – this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.

- On August 6, 2015, Complainant filed an appeal regarding a forced or coerced resignation due to his filing complaints of harassment, a violation of the Whistleblower Act, and additionally claimed discrimination based on disability, sexual harassment and race/color.
- On August 24, 2015, referred to Colorado Civil Rights Commission for investigation.

Christopher Price v. Department of Public Safety, 2016B010 – this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.

- On August 10, 2015, Complainant filed an appeal regarding his suspension without pay for one day in retaliation for his reporting conduct involving mistreatment of female employees and his involvement in the resulting third party law suit, a violation of the Whistleblower Act.
- December 22, 2015, Respondent filed a Motion to Dismiss as Complainant withdrew his appeal.
- Order Granting Motion to Dismiss issued on December 22, 2015.

Damian Macias v. University of Northern Colorado, 2016B021 – this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.

- On October 15, 2015, Complainant filed an appeal regarding his termination from employment in retaliation for disclosures he made concerning non-supervisors and non-appointing authorities receiving confidential personal, protected health, or professionally sensitive information, a violation of the Whistleblower Act. Additionally he filed discrimination based on age, disability, organizational membership and race/color.

- October 21, 2015, Referral to Agency for Response to Whistleblower Complain issued by ALJ.
- November 10, 2015, complaint referred to Colorado Civil Rights Commission for investigation.

Zachary Goldschmidt v. Front Range Community College, 2016B064 – *this case has not gone to hearing regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 15, 2016, Complainant filed an appeal regarding a six-month pay reduction in retaliation for his reporting a Title IX violation for alcohol in the work place and inappropriate touching of another employee, in violation of the Whistleblower Act.
- Unopposed Motion to Continue the Commencement and Prehearing Conference Date filed on June 21, 2016
- Order Granting Unopposed Motion to Continue the Commencement and Prehearing Conference Date issued on June 21, 2016.

Laura Saurini v. Department of Corrections, 2016B075 – *this case has not gone to hearing regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 15, 2016, Complainant appealed separation from her employment due to exhaustion of FML in retaliation for her disclosures of significant malpractice and ethical issues that was pressure by management on therapists on her team, a violation of the Whistleblower Act.
- May 20, 2016 the ALJ issued a Referral to Agency for Response to Whistleblower complaint.

Thao Le Beil v. Colorado State University, 2016B085 – *this case has not gone to hearing regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On May 27, 2016, Complainant filed an appeal of wrongful termination of her employment for unauthorized absence was in retaliation for her disclosure of fraudulent behavior and misrepresentation by a manager, a violation of the Whistleblower Act.
- June 22, 2016 the ALJ issued a Referral to Agency for Response to Whistleblower complaint.

Bernard Whitney v. Department of Human Services, 2015G061 – *no decision rendered yet regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On December 29, 2014, Complainant filed a petition for hearing regarding his termination from probationary employment approximately 12 days before the probationary period was to

expire, in retaliation for concerns he raised regarding inappropriate practices of HR Generalists in the Southern District, a violation of the Whistleblower Act.

- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- On June 3, 2015, the ALJ issued a Preliminary Recommendation recommending a hearing be granted.
- On June 17, 2015 the Board the Board issued an Order granting petition for hearing.
- January 28, 2016 Notice of Hearing issued to schedule evidentiary hearing for May 17-19, 2016.
- June 2, 2016 an Amended Procedural Order was issued continuing the hearing dates to June 30 and July 1, 2016.

Cletus Thiessen v. Department of Transportation, 2015G082 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 6, Complainant filed a petition for hearing alleging retaliation for his disclosures regarding problems with the CDOT Division of Transit and Rail in grants administration.
- In response to a March 12, 2015 Request for Additional Information, Complainant filed a petition for hearing on March 19, 2015 alleging his probationary termination was retaliation for his disclosures regarding the CDOT DTR administration of grants.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- On May 21, 2015, a Notice of Preliminary Review was issued.
- August 6, 2015, Preliminary Recommendation to Deny Petition for Hearing issued by ALJ.
- August 19, 2015, a Board Order issued adopting the recommendation to deny hearing.

Zachary Cartaya v. Department of Human Services, 2015G099 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On May 1, 2015, Complainant filed a petition for hearing alleging a corrective action and poor performance evaluation were retaliation and in violation of the Whistleblower Act.
- Addendums to the Whistleblower complaint was filed by Complainant on May 11 and May 15, 2015.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- On July 9, 2015, a Receipt of Whistleblower Response and Notice of Preliminary Review issued by the ALJ.
- October 27, 2015 Notice of Hearing issued for hearing on January 19, 2016.
- February 19, 2016 Procedural Order issued by ALJ resetting commencement of hearing for April 5, 2016.
- April 26, 2016 Unopposed Motion to Dismiss for settlement filed.
- April 27, 2016, Order Granting Unopposed Motion to Dismiss issued by ALJ.

Kathryn Knowlton v. Department of Corrections, 2015G0103 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On May 11, 2015, Complainant filed a petition for hearing appealing a Step II grievance response and alleging discrimination based on religion and sexual orientation and retaliation for disclosures she made in a pending lawsuit by a former DOC employee, in violation of the Whistleblower Act.
- Referral to CCRD for investigation and Referral to Agency for Response to Whistleblower Complaint were issued by the ALJ on June 9, 2015.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- August 27, 2015 Unopposed Motion to Dismiss filed.
- August 31, 2015 Order Granting Unopposed Motion to Dismiss issued by ALJ.

Julie Maestas v. Department of Human Services, 2015G0105 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On May 15, 2015, Complainant filed a petition for hearing for review of her Whistleblower Complaint alleging moving her job from Pueblo to Denver was retaliatory for her reporting co-worker's poor performance.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- October 5, 2015 Preliminary Recommendation issued by ALJ recommending petition for hearing be granted.
- October 23, 2015, the Board rejected the Preliminary Recommendation and issued an Order Denying the Petition for Hearing.

Scott Grover v. Department of Corrections, 2015G0110 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On June 10, 2015, Complainant filed a petition for hearing alleging retaliation in violation of the Whistleblower Act for disclosures he made about unauthorized work being performed at the Arkansas Valley Correctional Facility pistol range.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- Unopposed Motion for Extension of Time for Information Sheets filed.
- September 14, 2015, Order of Dismissal issued by ALJ for failure to timely file an Information Sheet.
- February 12, 2016 Designation of Record filed with Court of Appeals.

Kevin Baca v. Department of Human Services, 2015G0116 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On June 23, 2015, Complainant filed a petition for hearing regarding an unresolved grievance and allegations of discrimination based on disability and an undefined Whistleblower complaint.
- On June 26, 2015, Complainant filed a second petition for hearing alleging he was not selected for a promotion and claiming discrimination based on disability.
- On July 6, 2015, the ALJ issued a Request for Additional Information.
- On July 17, 2015, ALJ issued a Notice of Preliminary Review.
- September 28, 2015, Order of Dismissal issued by ALJ for failure of Complainant to submit an Information Sheet.

Matthew Saldana v. Department of Human Services, 2016G006 – *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On July 15, 2015, Complainant filed a petition for hearing regarding a six month pay reduction in retaliation for his disclosure of the Center's receipt of payments for a non-Medicaid approved client, a violation of the Whistleblower Act. He additionally claimed sexual harassment. On November 17, 2015, a second appeal was filed for termination due to retaliation for the same disclosure. The cases were consolidated.
- December 22, 2015, charges filed with CCRD.

Israel Espiricueta v. Department of Human Services, 2016G008 – *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On July 15, 2015, Complainant filed a petition for hearing regarding termination in retaliation for his disclosures regarding unsafe conditions and patient abuse, a violation of the Whistleblower Act. November 19, 2015 a Preliminary Recommendation was issued to deny petition for hearing.
- December 17, 2015, Order of the Board issued adopting the Preliminary Recommendation denying petition for hearing.

Tamsen G. Kincaid v. Department of Human Services, 2016G013 *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On July 22, 2015, Complainant filed a petition for hearing regarding a corrective action she received in retaliation for reporting her concerns about unsafe and unsanitary conditions for patients, a violation of the Whistleblower Act.
- On February 19, 2016 a Preliminary Recommendation was issued to the deny petition for hearing.

- March 17, 2016, Board Order issued adopting the recommendation to deny the petition for hearing.

Vicki Armstrong v. Department of Human Services , 2016G015 - *this case has not gone to hearing regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On July 24, 2015, Complainant filed a petition for hearing regarding the final agency decision on a grievance she filed and for an unidentified violation of the Whistleblower Act.
- August 24, 2015 an Order to Show Cause issued by ALJ.
- Order of Dismissal with Prejudice issued on September 4, 2015.

Maria T. Moss v. Department of Transportation, 2016G019 - *this case has not gone to hearing regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On August 7, 2015, Complainant filed a petition for hearing regarding her termination as a probationary employee in retaliation for her reporting threats and harassment by another employee, in violation of the Whistleblower Act.
- December 10, 2015 Order of Dismissal issued by ALJ for failure to comply with Board Orders and failure to submit a timely or conforming Information Sheet as required.

Charles Hyland v. Department of Revenue, 2016G021 - *this case has not gone to hearing regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On August 27, 2015, Complainant filed a petition for hearing regarding a violation of a release and prior settlement agreement and the “non disparagement” clause. Complainant resigned his employment with the Department of Revenue on November 1, 2012, in accordance with the terms of the Agreement. He repeated claims of illegal hiring practices which he believed were in violation of the Whistleblower Act.
- August 28, 2015, the ALJ issued an Order of Dismissal for lack of jurisdiction.

Angela York v. Department of Human Services, 2016G025 - *this case has not gone to hearing regarding a finding of a violation of Colorado’s whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On August 21, 2015, Complainant filed a petition for hearing regarding her termination as a probationary employee in retaliation for her reporting regulatory noncompliance and unethical conduct of a manager in violation of the Whistleblower Act.
- December 10, 2015 and Order of Dismissal was issued by the ALJ for failure to timely file an Information Sheet and Complainant’s statement that she could not meet deadlines.

Eric Robertson v. University of Colorado-Colorado Springs, 2016G027 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On August 27, 2015, Complainant filed a petition for hearing regarding his grievance and several other undefined and undocumented areas of dispute including a Whistleblower claim.
- October 29, 2015 an Order to Show Cause was issued ordering Complainant to provide required information.
- November 12, 2015 an Order of Dismissal with Prejudice was issued.

Mark Southerland v. Department of Human Services, 2016G028 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On August 27, 2015, Complainant filed a petition for hearing for not being selected in four promotional opportunities in retaliation for his filing two grievances regarding discrimination, in violation of the Whistleblower Act.
- November 6, 2015 Order of Dismissal issued by the ALJ for abandonment and referred to the State Personnel Director for any further action.

Scott Grover v. Department of Corrections, 2016G034 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On September 16, 2015, Complainant filed a petition for hearing regarding the final agency decision on a grievance he filed as well as ongoing retaliation and harassment for his reporting unauthorized work at the correctional facility pistol range, in violation of the Whistleblower Act.
- February 26, 2016 a Preliminary Recommendation was issued by the ALJ recommending the petition for hearing be granted.
- March 17, 2016 Order of the Board adopted the recommendation to grant a hearing.
- June 17, 2016 a Notice of Settlement and Motion to Stay Deadlines was filed.
- Motion to stay deadlines granted June 20, 2016.

Gary Griego v. Department of Corrections, 2016G035 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On September 21, 2015, Complainant filed a petition for hearing for his being placed on paid administrative leave and sent for a psychological fitness for duty evaluation in retaliation for claims he made about mismanagement by the Warden and his staff, in violation of the Whistleblower Act.
- February 4, 2016, Order of Dismissal with Prejudice was issued by the ALJ due to untimely filing of the appeal and the Whistleblower claim and lack of Board's jurisdiction.
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Seth Downs v. Department of Labor and Employment, 2016G040 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On September 21, 2015, Complainant filed a petition for hearing regarding his involuntary transfer and for harassment and discrimination in retaliation for his questioning the legality of procedures and reporting violations to authorities, in violation of the Whistleblower Act.
- Notice of Hearing and Prehearing Order issued April 21, 2016 setting hearing for July 14, 2016.

Andrea Mora v. Department of Human Services, 2016G047 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On November 9, 2015, Complainant filed a petition for hearing regarding discrimination on the basis of gender and a hostile work environment in retaliation for her complaints regarding illegal hiring practices, in violation of the Whistleblower Act.
- May 12, 2016 the ALJ issued a Preliminary Recommendation to deny the petition for hearing.
- Order of the Board adopting the recommendation to deny petition for hearing issued June 22, 2016.

Tammy Padilla v. Department of Corrections, 2016G066 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On January 29, 2016, Complainant filed a petition for hearing regarding her transfer to another correctional facility, harassment, and a hostile work environment in retaliation for her reporting incidents and writing confidential reports on her supervising Lieutenant, in violation of the Whistleblower Act.
- April 7, 2016, an Unopposed Motion to Dismiss with Prejudice was filed.
- April 12, 2016, the ALJ granted the Motion to Dismiss with Prejudice.

Sandra Vargas v. Department of Personnel and Administration, 2016G068 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On February 11, 2016, Complainant filed a petition for hearing regarding a final grievance decision from the appointing authority as well as harassment and retaliation, in violation of the Whistleblower Act.
- March 24, 2016 a discrimination claim was filed with Colorado Civil Rights Commission.

Abimael Renta v. Department of Corrections, 2016G071 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On February 22, 2016, Complainant filed a petition for hearing for his termination as a probationary employee in retaliation for his filing a discrimination and sexual harassment complaint and reporting unprofessional conduct between a supervisor and a subordinate, in violation of the Whistleblower Act.
- March 3, 2016 the ALJ issued a Request for Clarification of Discrimination Claims.
- May 18, 2016, Order of Dismissal issued based on abandonment of claim.

Doris Frey (Jung) v. Department of Public Health, 2016G078 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 30, 2016, Complainant filed a petition or hearing regarding a final grievance decision from the appointing authority as well a corrective action she received in retaliation for her response to an email she received which reported unethical behavior, negligence and a hostile work environment, in violation of the Whistleblower Act.
- May 5, 2016 a Procedural Order and Order of Dismissal issued by the ALJ after employee voluntarily resigned from her job with the State.

Rosendo Majano v. Department of Public Health, 2016G079 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 30, 2016, Complainant filed a petition for hearing regarding a final grievance decision from the appointing authority as well as discrimination and a hostile work environment, and a corrective action he received in retaliation for reporting unethical behavior, negligence and questionable procedures, in violation of the Whistleblower Act.
- April 26, 2016 a charge of discrimination was filed with CCRD.

Kate Russell v. Department of Public Health, 2016G082 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On April 18, 2016, Complainant filed a petition for hearing regarding a memo of expectations she received in retaliation for her disclosures about unprofessional conduct of a "favored" employee, in violation of the Whistleblower Act.
- June 20, 2016, a Notice of Preliminary Review issued by ALJ.

Jonathon Handy v. Department of Agriculture, 2016G092 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On May 20, 2016, Complainant filed a petition for hearing regarding a final grievance decision from the appointing authority as well as retaliation for his reporting of the agency's leadership involving systematic waste of public funds and abuse of authority, in violation of the Whistleblower Act.
- June 8, 2016 Referral to Agency for Response to Whistleblower Complaint issued by the ALJ.

Tammy Chapman v. Department of Revenue, 2016G094 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On May 23, 2016, Complainant filed a petition for hearing regarding the termination of her probationary employment in retaliation for participating in a dispute resolution process and retaliation for her claims of abuse of authority in the performance management process, in violation of the Whistleblower Act.
- June 9, 2016 Referral to Agency for Response to Whistleblower Complaint issued by ALJ.

Larry Madrid v. Department of Corrections, 2016G096 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On June 3, 2016, Complainant filed a petition for hearing claiming his transfer to another correctional facility as an arbitrary and capricious exercise of the DOC's discretion and part of a pattern of ongoing harassment and retaliation for his disclosures in an OIG investigation of the misconduct of two DOC officials, in violation of the Whistleblower Act.
- June 22, 2016 Referral to Agency for Response to Whistleblower Complaint issued by the ALJ.

Jennie Sinclair v. Department of Natural Resources, 2015S009 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On October 21, 2014, Complainant filed a petition for Director's review for a non-selection in a promotion that she alleged was in retaliation for disclosures she made about unethical, wasteful and fraudulent behaviors of Barr Lake State Park managers, a violation of the Whistleblower Act.
- Following the Board's receipt of Respondent's response to the Whistleblower Complaint, the matter was set for preliminary review.
- On November 3, 2014, a Memorandum to the Director of Personnel was issued.
- Preliminary Recommendation issued by the ALJ on March 4, 2015 recommending the petition for hearing on the whistleblower claim be granted.

- On March 19, 2015, the Board affirmed the recommendation and granted the petition for hearing.
- On March 24, 2015, the ALJ issued a Notice of Hearing and Prehearing Order and hearing was set for November 3-4, 2015.
- December 13, 2015 Combined Status Report and Motion to Dismiss filed by Respondent.
- January 19, 2016 Order to Show Cause Why Matter Should Not be Dismissed as Abandoned issued by ALJ.
- February 4, 2016, Order Granting Respondent's Motion to Dismiss issued by ALJ.

James Bowin v. Department of Revenue, 2016S030 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On March 22, 2016, Complainant filed a petition for hearing regarding a selection and alleging discrimination as well as unwarranted harassment by department managers as a result of a workplace relationship, in violation of the Whistleblower Act.
- May 24, 2016 an Order to Show Cause why the Whistleblower complaint should not be dismissed and a Request for Clarification of Discrimination Claim was issued by ALJ.
- June 7, 2016 Order Dismissing Discrimination and Whistleblower Claims was issued by the ALJ and referred to the State Personnel Director for any further action as necessary.

Sandra Vargas v. Department of Personnel and Administration, 2016S041 - *this case has not gone to hearing regarding a finding of a violation of Colorado's whistleblower statute, § 24-50.5-101, et seq., C.R.S.*

- On June 20, 2016, Complainant filed a petition for hearing regarding non-selection, alleging discrimination and claiming retaliation for an unexplained Whistleblower claim.
- June 30, 2016 a Request for Additional Information regarding Whistleblower Complaint was issued by the ALJ.
- June 30, 2016 referred to Colorado Civil Rights Commission for investigation.