

INSTRUCTIONS for completing the *Consolidated Appeal & Dispute Form*

A *Consolidated Appeal & Dispute Form* is required for all state personnel system appeals, requests for Director's review and external stage performance management disputes.

The forms, Personnel Board Rules and Personnel Director's Administrative Procedures, and additional information are available on the State Personnel Board website <http://www.colorado.gov/spb> OR on the Division of Human Resources' website <https://www.colorado.gov/dhr>.

ACCEPTABLE METHODS OF FILING THE FORM

All appeals, disputes and requests for Director's review must be delivered to the State Personnel Board:

- ✓ **USPS MAILING** (regular or certified) to the State Personnel Board (postmark must be on or before the last day of the filing period); OR
- ✓ **HAND-DELIVERY** to the State Personnel Board (by close of business 5:00 p.m. on or before the last day of the filing period); OR
- ✓ **FAXING** to the State Personnel Board at 303-866-5038 (by close of business 5:00 p.m. on or before the last day of the filing period). **FAXES ARE LIMITED TO 20 pages.**

State Personnel Board is located at: 1525 Sherman Street, 4th Floor, Denver, CO 80203

DEADLINES FOR FILING ⇨ PLEASE BE AWARE OF DEADLINES FOR FILING! ⇩

Appeals must be received by the State Personnel Board or postmarked within:

- **Ten (10) calendar days** from the date on which you received notice of the action being appealed.
- Performance management disputes only: **Five (5) working days** from the date of the department's final decision.

FILLING OUT THE FORM

1) Identification of Employee/Job Applicant ("Complainant"). YOU are the Complainant.

- a. **Clearly print** your name, your mailing address, your telephone number and your email address where you may be reached concerning your appeal.
- b. **You MUST provide an email address where you can promptly receive orders and notices that the Board will send you.**
 - i. If you do not have an email address, you must file a request in writing for permission to use only a postal mailing address.
 - ii. It is your responsibility to notify the State Personnel Board or, if your matter is referred, the State Personnel Director, of any change in your contact information. Failure to do so may result in dismissal of your action.
- c. **Certified status.** "Certified" refers to a state employee who has completed the probationary or trial service period. State whether you are or were a probationary employee or a certified state employee.

2) Representation: Have you retained an attorney to assist you? You may obtain legal counsel at any time to represent you OR you may represent yourself.

- a. If you retain an attorney, please provide the attorney's name, mailing address, email address and phone number.

- 3) **The Department or College / University Whose Action is Being Appealed or Disputed (“Respondent”).** The department, agency, college or university whose action you are appealing is the Respondent. Provide the name of the person who took the final action that you are appealing, the department, agency, college or university and the business address.
- 4) **Specific Actions Being Appealed or Disputed and Reasons for Appeal/Dispute.** Describe the action taken against you and the reason(s) for your appeal or dispute.
- 5) **Action Taken: Were you notified in writing that this action was taken?** If you received written notification of the action, indicate “yes” and provide the date you received that notification.
 - a. **You must attach a copy of the written notice of the action you are appealing or disputing.**
 - b. **If you cannot provide** a copy of the written notification, you must explain why you cannot do so.
- 6) **Relief Requested.** What remedy do you want as a result of your appeal?
- 7) **Type of Appeal or Dispute.** Check the boxes on the *Consolidated Appeal & Dispute Form* that you feel apply to the specific action(s) you are appealing or disputing.
- 8) **SIGNATURE.** The form **MUST** be signed by you, Complainant, or by your legal representative.
- 9) **CERTIFICATE OF DELIVERY TO RESPONDENT.** You **MUST** provide a copy of your appeal to the **Respondent** (the department, agency, college or university whose action you are appealing) as identified in #3 of your appeal.
 - a. A copy may be provided either **in person or by first class mail** to the address you have provided on the first page of the appeal form, item #3.
 - b. You **MUST specify** whether the copy of the appeal was sent by mail or by hand-delivery, and the date this occurred.
 - c. **Sign your name** again under this section verifying delivery to Respondent.

AFTER FILING YOUR APPEAL

After a *Consolidated Appeal & Dispute Form* is filed, your appeal or dispute will be reviewed and will either proceed with the State Personnel Board or will be referred to the State Personnel Director’s office for further action as appropriate.

You will receive notification via email advising you of the next step in the process.

If you have any questions about the appeal process, you may contact the State Personnel Board at 303-866-3300. *The State Personnel Board cannot provide legal advice.*

For information about appeals or disputes referred to the State Personnel Director please contact DPA / Division of Human Resources office at 303-866-2171.