

**HEARING OFFICER, CAREER SERVICE BOARD
CITY AND COUNTY OF DENVER, COLORADO**

Appeal No. 09-06

ORDER OF DISMISSAL

IN THE MATTER OF THE APPEAL OF:

GINA M. CHAVEZ,
Appellant,

vs.

FACILITIES PLANNING MANAGEMENT, DEPARTMENT OF GENERAL SERVICES,
and the City and County of Denver, a municipal corporation,
Agency,

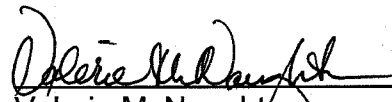
The Agency has moved to dismiss the above appeal. The time for filing Appellant's response pursuant to the Prehearing Order, § F(1) has expired.

This is an appeal of a denial of equipment differential pay on Feb. 3, 2006 based upon Appellant's operation of equipment higher than her classification while volunteering to install Christmas lights at the City and County Building. Appellant claims the denial violated CSR § 9-92. The Agency claims that Rule 19 does not provide jurisdiction for an appeal of this issue.

This appeal does not allege a dismissal, suspension, demotion, disqualification or layoff necessary for a direct appeal. Appellant has not filed a grievance of the pay denial as a violation of the Career Service Rules pursuant to CSR § 18-40. Therefore, jurisdiction under CSR § 19-10 B. 2. is absent. The rules provide no other basis for jurisdiction for this appeal.

This appeal is hereby **DISMISSED** with prejudice for failure of jurisdiction.

Done this 6th day of March, 2006.



Valerie McNaughton
Hearing Officer for the
Career Service Board

CERTIFICATE OF MAILING

I hereby certify that I have forwarded a true and correct copy of the foregoing **ORDER** by depositing it in the U.S. mail, postage prepaid, this 6th day of March, 2006, addressed to:

Ms. Gina M Chavez
9540 W. Bellwood Pl.
Denver, CO 80123

I further certify that I have forwarded a true and correct copy of the foregoing **ORDER** by depositing it in interoffice mail this 6th day of March, 2006, addressed to:

Joseph A. DiGregorio, Esq.
City Attorney's Office
Litigation Section
201 West Colfax Avenue Dept. 1108
Denver, CO 80202

Mr. Luis A. Colón
Manager
Department of General Services

Mr. Derek Brown
Acting Deputy Manager
Department of General Services

A handwritten signature in cursive script, reading "Laura A. Cronin", is written over a horizontal line.