

ORDER OF DISMISSAL

IN THE MATTER OF THE APPEAL OF:

HELEN R. KEMP, Appellant,

vs.

DEPARTMENT OF AVIATION, DENVER INTERNATIONAL AIRPORT
and the City and County of Denver, a municipal corporation, Agency.

Appellant has been ordered to show cause why the grievance appeal should not be dismissed as premature, and why the discrimination, harassment, and retaliation claims should not be dismissed for failure to file a formal complaint under CSR Rule 15. Appellant timely filed her response on February 11, 2008. The Agency has not responded.

The pro se Appellant filed this appeal on February 4, 2008 based on a grievance filed January 29, 2008, as well as claims of discrimination, harassment, and retaliation on the bases of race, sex, and age. The underlying grievance protests the Agency's placement of Appellant on investigatory leave and attendant leave issues. The order to show cause ordered Appellant to address whether the appeal was filed prematurely, as the Agency's response to the grievance was not overdue until February 14, 2008.

Appellant's response requests dismissal of the grievance appeal as premature, and attaches a copy of the Agency's timely response to her grievance dated February 11, 2008. Appellant did not address the issues relating to her claims of discrimination, harassment, and retaliation.


Order

Upon consideration of the Appellant's response, the following orders are entered herein:

1. Appellant's request that the grievance appeal be dismissed as premature is voluntarily made. That claim is dismissed.
2. Appellant is deemed to have abandoned her discrimination, harassment, and retaliation appeals for failure to respond to the order to show cause. Those claims are hereby dismissed.

3. There are no other claims remaining in this appeal.

Dated this 19th day of February, 2008.


Valerie McNaughton
Career Service Hearing Officer

I hereby certify that on February 19, 2008 I forwarded a copy of the foregoing Order to the following as indicated below:

Helen R. Kemp, P.O. Box 7582, Denver, CO. 80207 (via US mail)
City Attorney's Office, Litigation Section, dlefilng.litigation@denvergov.org

(via email)
Jim Thomas, Department of Aviation, Jim.Thomas@diadenver.net (via email)


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