

ORDER ON MOTION TO OPPOSE CITY ATTORNEY'S OFFICE AS AGENCY REPRESENTATIVE

IN THE MATTER OF THE APPEAL OF:

VINCENT MACIEYOVSKI, Appellant,

vs.

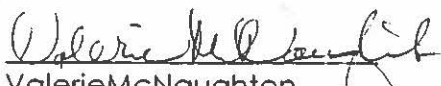
DEPARTMENT OF GENERAL SERVICES, FACILITIES MAINTENANCE,
and the City and County of Denver, a municipal corporation, Agency.

Appellant has moved to oppose the City Attorney's Office from further representative of the Agency in this appeal. The Agency filed a response objecting to the motion.

This is an appeal of Appellant's eight-day suspension for violation of the Agency's rules related to work uniforms. Appellant also alleges that the discipline was imposed based on his national origin and in retaliation for his reports of energy waste within the department. Appellant argues that the City Attorney's Office should be disqualified from representing the Agency because "the issues to be determined are detrimental to the public interest" and public trust.

As noted in the Agency's response, the City Charter empowers the City Attorney's Office with representing the City and its officers in all civil litigation and in appeals before the Career Service Hearing Office. Appellant has not alleged that the City Attorney's Office has a direct conflict of interest in representing the Agency in this matter. The motion is therefore DENIED.

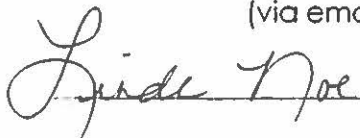
Done November 26, 2013.


Valerie McNaughton
Career Service Hearing Officer

I hereby certify that on November 26, 2013 a copy of this Order was sent to the following in the manner indicated:

Vincent Macieyovski, vmacieyovski@yahoo.com
City Attorney's Office at Dlefilling.litigation@denvergov.org
HR Services, HRServices@denvergov.org

(via email)
(via email)
(via email)


Linda Noe