

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

Appeal No. 54-06

ORDER OF DISMISSAL

IN THE MATTER OF THE APPEAL OF:

BENJAMIN ESCALERA,
Appellant,

v.

**DENVER PUBLIC WORKS, TRAFFIC OPERATIONS DIVISION, FLEET
MAINTENANCE DIVISION,** and the City and County of Denver, a municipal
corporation,
Agency.

On August 2, 2006, Appellant was ordered to show cause why this appeal should not be dismissed for lack of jurisdiction. Appellant has not responded to the order by August 8, 2006. The Agency filed its response on August 4, 2006, arguing that Appellant lacks career service status to file this appeal.

Appellant states on his appeal form that he is an on-call Senior Utility Worker for Traffic Operations/Fleet Maintenance, which is within the Department of Public Works. An employee must have career service status in order to invoke the jurisdiction of the Career Service Hearing Office in an appeal "except on grounds of discrimination". CSR § 5-64 2. An on-call employee does not have career status. CSR § 5-42 D.

Accordingly, this appeal is hereby **DISMISSED** with prejudice for lack of jurisdiction.

Dated this 14th day of August, 2006.



A handwritten signature in black ink, appearing to read "Doreen Hill", is written over a horizontal line.