

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

Appeal No. 134-05

---

**ORDER**

---

IN THE MATTER OF THE APPEAL OF:

**GEORGE B. PFEFFER,**  
Appellant,

vs.

**DEPARTMENT OF REVENUE, ASSESSMENT DIVISION,**  
Agency, and the City and County of Denver, a municipal corporation.

---


The Agency filed its "Agency's Motion to Dismiss for Lack of Subject Matter Jurisdiction" on January 17, 2006. To date, the Appellant has not responded. Having considered the Agency's Motion and being otherwise informed in this matter, the Hearings Officer finds and orders as follows.

The Appellant appeals the Agency's rating of his annual performance evaluation. The Hearings Officer has jurisdiction over the appeal of a "Below Expectations" Performance Enhancement Program Report (PEPR) only if the Appellant filed a grievance of his evaluation in conformance with the requirements of Career Service Rule (CSR) 18-12 and 19-10 e) (Effective Date 8/24/00). The Appellant did not file a grievance, but instead, filed a direct appeal to the Hearings Office.

Because the Appellant failed to meet the requirements of CSR 18-12 by filing an appropriate grievance of his "Below Expectation" PEPR, the Hearings Officer is deprived of subject matter jurisdiction, under CSR 19-10 e), to hear this matter.

The Hearings Officer therefore orders this appeal to be **DISMISSED WITH PREJUDICE.**

DONE this 23<sup>rd</sup> day of January, 2006.

  
\_\_\_\_\_  
Bruce A. Plotkin  
Hearings Officer  
Career Service Board