

ARIZONA STATE PERSONNEL BOARD

LORI FRESQUEZ,

Appellant,

vs.

DEPARTMENT OF CORRECTIONS,

Respondent.

ORDER

HAVING CONSIDERED THE ENTIRE RECORD, IT IS ORDERED:

Finding that the Department of Corrections has proven by a preponderance of the evidence that the material facts on which the dismissal was based, we find that just cause existed and that the dismissal was not arbitrary and capricious, the Hearing Officer's Findings of Fact and Conclusions of Law are adopted as the Board's own. The appellant's appeal is denied and the agency's action of dismissal is upheld.

  
\_\_\_\_\_  
Joe Beers, Chair  
Arizona State Personnel Board

RECORDED this 10<sup>th</sup> day of August, 2016.

Copies of the foregoing mailed this 11<sup>th</sup> day of August, 2016 to:

Lori Fresquez  
547 N. 98<sup>th</sup> Pl.  
Mesa, AZ 85207-7115

Colleen McManus, Chief Human Resources Officer  
Department of Corrections  
1601 W. Jefferson St.  
Phoenix, AZ 85007-3002

James Green, Assistant Attorney General  
Office of the Attorney General  
Civil Division, Employment Law Section  
1275 W. Washington St.  
Phoenix, AZ 85007-2926

Eric S. Abt, Human Resources Programs Administrator  
Department of Corrections  
1601 W. Jefferson St.  
Phoenix, AZ 85007-3002

Charles L. Ryan, Director  
Department of Corrections  
1601 W. Jefferson St., MC 442  
Phoenix, AZ 85007-3002

Thomas McLellan, Hearing Officer  
Attorney at Law  
Shannon & Fleming P.C.  
4423 N. 24<sup>th</sup> St., Suite 700  
Phoenix, AZ 85016-5588

  
\_\_\_\_\_  
ARIZONA STATE PERSONNEL BOARD