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Michael McArdle
Director
Division of Labor
Colorado Department of Labor & Employment
633 17th Street, Suite 200
Denver, CO 80202-3660

June 23, 2010

Dear Mr. McArdle:

Colorado Workers for Innovation and New Solutions (Colorado WINS), as the certified employee organization for state employees, finding that the Governor's Designee has declared that negotiations, concerning total compensation, between Colorado WINS and the Department of Personnel and Administration (DPA) are at an impasse, hereby requests, pursuant to subsection III(E) of Governor Ritter's Executive Order D 028 07, that the Director of the Division of Labor, Colorado Department of Labor and Employment, appoint a disinterested third party to mediate the subject matter of their negotiations.

Colorado WINS has worked in good faith with DPA through the partnership process to find ways to bring efficiencies, transparencies, and accountability to the process of setting total compensation in the state, as well as establish a pay progression system that reforms the problems clearly identified in Governor's HB-1409 veto letter on June 7, 2010.

It has become readily apparent to Colorado WINS that the parties could not reach a conclusion on measures to reform the process of benchmarking and surveying compensation that are used to establish total compensation pursuant to statute.

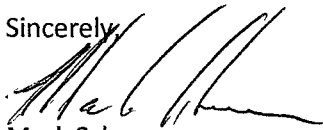
Further, statements from DPA confirmed to Colorado WINS that discussion with DPA were not going to achieve a solution to the problems plaguing the pay progression system. For the nearly four years under the direction of Executive Director Rich Gonzales, DPA has failed to implement any solution to the problems identified in the pay progression system as stated in the Governor's letter.

Colorado WINS believes that the discussions to date have been valuable to clearly highlight the failure of the current DPA process to meet the statutory requirements for setting total compensation and identify the challenges that exist with the current pay

progression system. However, Colorado WINS invokes the identified provision under the executive order because it believes that the parties have reached impasse and will not reach a conclusion under the current framework. Resolution of these issues is important not only to state employees but also to the taxpayers of Colorado, who deserve a compensation system for the state workforce that is efficient, accountable and transparent to all Coloradans.

Therefore, Colorado WINS respectfully requests that the Director of the Division of Labor appoint a disinterested third party to mediate the issues of the total compensation benchmarking and survey process as well as the issue of pay progression.

Sincerely,



Mark Schwane

General Counsel and Lead Negotiator

Colorado WINS

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cc: Rich Gonzales, Department of Personnel and Administration
Marty Flahive, Governor's Designee
Lonnie Westphal, Association of Colorado State Patrol Professionals