

State of Colorado



John W. Hickenlooper
Governor

Neil Peck
Board Chair

Dana Shea-Reid
Board Director

State Personnel Board
1525 Sherman Street, 4th Floor
Denver, Colorado 80203
Phone (303) 866-3300
Fax (303) 866-5038

AGENDA PUBLIC BOARD MEETING October 16, 2018

A public meeting of the Colorado State Personnel Board will be held on Tuesday, October 16, 2018 at 1525 Sherman Street, 1st Floor Conference Room 104, Denver, Colorado 80203. The public meeting will commence at 9:00 a.m.

Reasonable accommodation will be provided **upon request** for persons with disabilities. If you are a person with a disability who requires an accommodation to participate in this meeting, please notify Board staff at 303-866-3300 by October 11, 2018.

CALL TO ORDER

- Attendance.
- Disclosure of any potential conflicts of interest with regard to present Board business and notice of recusal, if applicable.

I. REPORT OF DEPARTMENT OF PERSONNEL AND ADMINISTRATION [DPA] AND REPORT OF THE DIVISION OF HUMAN RESOURCES [DHR]

Quarterly report scheduled for December

II. REVIEW OF INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES ON APPEAL TO THE STATE PERSONNEL BOARD

There are no Initial Decisions on appeal or other Final Orders of the ALJ for review.

III. REVIEW OF PRELIMINARY RECOMMENDATIONS OF THE ADMINISTRATIVE LAW JUDGES TO GRANT OR DENY PETITIONS FOR HEARING

There are no Preliminary Recommendations of the ALJ's for review.

IV. INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES

- A. Lori Baumgardner v. Department of Transportation, State Personnel Board case Number 2018S015.

Complainant applied unsuccessfully to promote to the position of Transportation Maintenance II ("TM II") in Kremmling. She disputes her non-selection. Complainant alleges that Respondent discriminated against her on the basis of gender. Complainant seeks placement to a TM II position, an award of back pay and lost PERA contributions, and an award of attorney fees and costs.

Respondent denies Complainant's allegations and maintains that the selection decision was not discriminatory. Respondent requests that the Board affirm the selection decision.

On September 25, 2018, the ALJ issued an Initial Decision affirming Respondent's selection decision and ordered no award to Complainant of her attorney fees and costs. The ALJ ordered that the matter be referred to the State Personnel Director for further review as may be appropriate.

V. REVIEW OF THE MINUTES FROM THE SEPTEMBER 18, 2018 PUBLIC MEETING OF THE STATE PERSONNEL BOARD

VI. ACKNOWLEDGMENTS

DECISIONS OF THE STATE PERSONNEL BOARD MADE AT ITS SEPTEMBER 18, 2018 PUBLIC MEETING:

- A. George Arge v. University of Colorado Denver, Facilities Management, State Personnel Board case number 2018G071.

The Board voted to adopt the Preliminary Recommendation of the ALJ and deny the petition for hearing.

VII. ADMINISTRATIVE MATTERS & COMMENTS

A. ADMINISTRATIVE MATTERS

- Status of Cases on Appeal to the Board and Appellate Courts
Stiles v. Department of Corrections-oral argument set for November 27, 2018 at 2:30 p.m.

B. OTHER BOARD BUSINESS

Director's Report: No report this month.

C. GENERAL COMMENTS FROM ATTORNEYS, EMPLOYEE ORGANIZATIONS, PERSONNEL ADMINISTRATORS, AND THE PUBLIC

VIII. PROPOSED LEGISLATION AND/OR RULEMAKING

IX. EXECUTIVE SESSION

ADJOURN:

2018 REGULARLY SCHEDULED BOARD MEETINGS - 9:00 a.m.

January 16, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 103 Denver, CO 80203
February 20, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
March 20, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
April 17, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
May 15, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
June 19, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
July 17, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
August 21, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
September 18, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
October 16, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
November 20, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203
December 18, 2018	Colorado State Personnel Board 1525 Sherman Street, 1st Floor Conference Room 104 Denver, CO 80203