

# State of Colorado

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**John W. Hickenlooper**  
*Governor*

**Neil Peck**  
*Board Chair*

**Dana Shea-Reid**  
*Board Director*

**State Personnel Board**  
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Meeting Minutes  
May 15, 2018

The State Personnel Board met in public session on Tuesday, May 15, 2018, at 1525 Sherman Street, First Floor Conference Room 104, Denver, Colorado 80203.

The meeting was called to order at 9:00 a.m. Board Members Vonda Hall, Nora Kelly, Maurie Knaizer, Michelle Palmquist and Neil Peck were present in person.

Dana Shea-Reid, Board Director and First Assistant Attorney General Eric Maxfield substituting for Counsel De Vos were there in person.

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

Report deferred to June.

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

A. Thomas Dangerfield v. Department of Transportation, State Personnel Board case number 2018B013.

Mr. Peck moved to adopt the Findings of Fact and Conclusions of Law in the Order of Dismissal issued by the ALJ. Ms. Kelly seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Mr. Peck.

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

A. Sabra Janko v. Department of Labor and Employment, State Personnel Board case number 2018G041.

Ms. Hall moved to adopt Preliminary Recommendation of the ALJ and deny the petition for hearing. Mr. Peck seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Mr. Peck.

- B. Janet Monson v. Department of Human Services, Office of Community Access, Wheat Ridge Regional Center, State Personnel Board case number 2018G035.

Ms. Palmquist moved to adopt Preliminary Recommendation of the ALJ and grant the petition for hearing. Ms. Hall seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Mr. Peck.

- C. Heidi Poliafico v. Department of Revenue, Division of Motor Vehicles, Driver's License Section, State Personnel Board case number 2018G049.

No action taken by the Board. Prior to the Board meeting, an Order of Dismissal was issued by the ALJ for lack of Board jurisdiction as the Complainant had resigned from her job with the State.

- D. Matthew McNew v. Department of Public Safety, State Personnel Board case number 2018G037(c).

Ms. Palmquist moved to adopt Preliminary Recommendation of the ALJ and deny the petition for hearing. Mr. Peck seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Mr. Peck.

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

There were no Initial Decisions or other Final Orders of the Administrative Law Judges for review.

#### **V. REVIEW OF THE MINUTES FROM THE APRIL 17, 2018 PUBLIC MEETING OF THE STATE PERSONNEL BOARD**

Mr. Peck moved to approve the minutes as amended. Ms. Hall seconded the motion. The motion passed on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly, Mr. Knaizer, Ms. Palmquist and Mr. Peck.

#### **VI. ACKNOWLEDGMENTS**

##### **DECISIONS OF THE STATE PERSONNEL BOARD MADE AT ITS MARCH 20, 2018 PUBLIC MEETING:**

- A. Sara L. Copas v. Department of Human Services, Office of Children, Youth & Families, Division of Youth Corrections, Lookout Mountain Youth Services Center, State Personnel Board case number 2017G039.

The Board voted to adopt the Preliminary Recommendation of the ALJ and deny

the petition for hearing.

- B. Gina Marie Dodge v. Department of Human Services, Office of Children, Youth & Families, Division of Child Welfare, State Personnel Board case number 2018G038.

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

- C. Barbara Bloem v. Department of Health Care Policy & Financing, State Personnel Board case number 2016G011(c).

No formal action taken.

- D. Cassandra Singleton v. Department of Corrections, State Personnel Board case number 2017B078.

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

- E. Jeffreyson R. Gieck v. Governor's Office of Information Technology, State Personnel Board case number 2017G074.

The Board reviewed the Order Dismissing Case for Lack of Jurisdiction. No formal action taken.

## **VII. ADMINISTRATIVE MATTERS & COMMENTS**

### **A. ADMINISTRATIVE MATTERS**

A copy of the Answer Brief to the Court of Appeals regarding Mathew Stiles v. Department of Corrections submitted by Board Counsel De Vos was provided to the Board for their information and review.

### **B. OTHER BOARD BUSINESS**

#### **Director's Report:**

Director Shea-Reid provided an update on the upcoming Board election. Board member Nora Kelly's term ends June 30, 2018. On May 9, an announcement of the election was sent electronically to all State employees and nominating information and petitions have been made available on the Board's web site and at the Board's offices. Petitions are due to the Board offices on July 2 and voting will be from July 9 through midnight July 30. Ms. Kelly has advised that she will run for a second term on the Board.

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

**VIII. PROPOSED LEGISLATION OR RULEMAKING**

The State Legislature closed its 2018 legislative session on May 9. Director Shea-Reid briefed the Board on the outcomes for legislation of interest to the Board. In a surprise turnabout, DPA's bi-weekly pay proposal was not approved; the Colorado Civil Rights Division (CCRD) was reauthorized and a compromise regarding appointments to the commission; and PERA was authorized to increase the amount of employee contributions, raise the retirement age to 64 and reduce the cost of living increases for retirees.

**IX. EXECUTIVE SESSION**

The Board meeting adjourned by consensus at 9:29 a.m.

**DATED THIS 19th DAY OF JUNE, 2018.**

SIGNATURES

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Neil Peck, Board Chair

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Michelle Palmquist, Vice Chair

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Vonda Hall, Member

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Nora Kelly, Member

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Maurie Knaizer, Member

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