

State of Colorado



John W. Hickenlooper
Governor

Neil Peck
Board Chair

Dana Shea-Reid
Board Director

State Personnel Board
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Meeting Minutes
October 16, 2018

The State Personnel Board met in public session on Tuesday, October 16, 2018, at 1525 Sherman Street, First Floor Conference Room 104, Denver, Colorado 80203.

The meeting was called to order at 9:04 a.m. Board Members Nora Kelly, Michelle Palmquist and Maurie Knaizer were present in person. Vonda Hall participated via conference call. Neil Peck was absent.

Dana Shea-Reid, Board Director and Amy Lopez, Board Counsel were present in person.

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

Director Shea-Reid informed the Board that earlier in the month, the State's CHRO Kim Burgess had announced that she would be leaving the State at the end of October. Future reports to the Board will be determined how DPA wishes it to be handled for the remaining months of the year. The Board expressed its appreciation and best wishes to Ms. Burgess.

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

There were no appeals of Initial Decisions 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.

No formal action taken.

- B. Richard D. Helmick v. Department of Transportation, State Personnel Board case number 2017B053.

The ALJ issued two orders on October 11, 2018 that were sent to the parties on October 12, 2018, and were thus not included in the Board packet which was mailed October 5. The first order was the Order on the Amount of Complaint's Attorney Fees & Costs and the second was the Order on Remand, referencing the stipulated agreement on the amount of back pay and benefits and the attorney fees to be awarded. The Board discussed the stipulated agreement of the parties for back pay and the additional award of attorney's fees and costs as ordered by the ALJ which was still subject to appeal by the parties. No formal action was taken.

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

Ms. Palmquist moved to approve the minutes as submitted. Ms. Kelly seconded the motion. The motion passed on the affirmative vote of the following Board members: Ms. Hall, Ms. Kelly and Ms. Palmquist. Mr. Knaizer abstained as he did not attend that meeting.

VI. ACKNOWLEDGMENTS

DECISIONS OF THE STATE PERSONNEL BOARD MADE AT ITS AUGUST 21, 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

Board Counsel Lopez updated the Board on the status of appeals to Court of Appeals: Jason Purdue v. DORA filed his notice of appeal; the record is due November 6 for Jeffreyson Gieck v. GOIT; briefing is in process for William Meiderhoff v. DOT; notice of appeal has been filed by Barbara Bloem v. HCPF. Oral arguments for Matthew Stiles v. DOC have been set for November 27, 2018.

B. OTHER BOARD BUSINESS

None to report.

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

VIII. PROPOSED LEGISLATION OR RULEMAKING

IX. EXECUTIVE SESSION

The Board meeting adjourned by consensus at 9:28 a.m.

DATED THIS 20th DAY OF NOVEMBER, 2018.

SIGNATURES

Michelle Palmquist, Vice Chair

Vonda Hall, Member

Nora Kelly, Member

Maurie Knaizer, Member