

# State of Colorado



Jared Polis  
*Governor*

Michelle Palmquist  
*Board Chair*

Rick Dindinger  
*Board Director*

**State Personnel Board**  
1525 Sherman Street, 4<sup>th</sup> Floor  
Denver, Colorado 80203  
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## **AGENDA PUBLIC BOARD MEETING APRIL 21, 2020**

**A public meeting of the Colorado State Personnel Board will be held telephonically via conference call on Tuesday, April 21, 2020 at 9:00 a.m. The State Personnel Board will provide a listen only conference ID to allow the public access to the meeting.**

If you wish to attend the meeting via conference call, please notify the Board by April 16, 2020 at 303-866-3300 or via email at [dpa\\_state.personnelboard@state.co.us](mailto:dpa_state.personnelboard@state.co.us).

### **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]**

Report not scheduled at this time.

### **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's for review.

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

#### **A. Kami Cooper v. Department of Corrections, SPB 2020G044**

Respondent denied Complainant's request for Classification Transfer on December 17, 2019. Complainant alleges Respondent's denial of her request for Classification Transfer was discriminatory on the basis of gender. As relief, Complainant requests to be placed in the rank of Sergeant with appropriate salary adjustment, back pay and no retaliation.

Respondent argues that Complainant failed to establish valid issues that merit a hearing. Respondent requests the Board to deny Complainant's petition for hearing and dismiss it with prejudice.

On April 3, 2020, the ALJ issued a Preliminary Recommendation to deny Complainant's petition for hearing.

B. Ian Kleats v. Department of Human Services, Office of Early Childhood, SPB 2020G036

Complainant alleges that Respondent retaliated against them in violation of the Whistleblower Act after Complainant claimed that they were the victim of workplace violence. Specifically, Complainant contends that Respondent retaliated against them by giving Complainant a Performance Improvement Plan (PIP) and withholding certain tasks. As relief, Complainant seeks a rescission and expungement of the PIP, cessation of all alleged retaliation, and consequences for those who allegedly violated the Whistleblower Act.

Respondent contends that Complainant has failed to establish the existence of issues that merit an evidentiary hearing. As relief, Respondent requests that the Board deny Complainant's petition for hearing and dismiss the matter with prejudice.

On April 6, 2020, the ALJ issued a Preliminary Recommendation to deny the petition for hearing.

C. Stephanie Hillard Baudhuin v. Colorado State University, Division of External Relations, SPB 2020G034

In her petition for hearing, Complainant alleges a hostile work environment with "implied retribution," that Respondent retaliated against her in violation of the Whistleblower Act, and that Respondent failed to follow grievances procedures and violated her federal or state constitutional rights in the grievance process. As relief, Complainant requests back pay, a letter of apology, clarification of policies, that Respondent not deter employees from pursuing grievances, that Respondent provide training to supervisors, and that Respondent not continue to discriminate against her.

Respondent argues Complainant is not entitled to a hearing because she resigned from her employment. Alternatively, Respondent argues Complainant failed to allege sufficient facts to merit a hearing. Respondent requests that the Board deny Complainant's petition for hearing and dismiss it with prejudice.

On April 7, 2020, the ALJ issued a Preliminary Recommendation to deny the petition for hearing.

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

There are no Initial Decisions or other Final Orders of the ALJ's for review.

**V. REVIEW OF THE MINUTES FROM THE MARCH 17, 2020 PUBLIC MEETING OF THE STATE PERSONNEL BOARD**

**VI. ADMINISTRATIVE MATTERS & COMMENTS**

A. ADMINISTRATIVE MATTERS

- Status of Cases on Appeal to the Board and Appellate Courts

C. OTHER BOARD BUSINESS

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

**VII. PROPOSED LEGISLATION AND/OR RULEMAKING**

None scheduled at this time.

**VIII. EXECUTIVE SESSION**

None scheduled at this time.

**ADJOURN**

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

**Colorado State Personnel Board  
1525 Sherman Street, 1<sup>st</sup> Floor Conference Room 104  
Denver, CO 80203**

**May 19, 2020**

**June 16, 2020**

**July 21, 2020**

**August 18, 2020**

**September 15, 2020**

**October 20, 2020**

**November 17, 2020**

**December 15, 2020**

**January 19, 2021**

**February 16, 2021**

**March 16, 2021**

**April 20, 2021**