

State of Colorado



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State Personnel Board
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AGENDA PUBLIC BOARD MEETING April 20, 2021

A public meeting of the Colorado State Personnel Board will be held via webinar on Tuesday, April 20, 2021 at 8:00 a.m. A continued joint rulemaking hearing with the Statewide Chief Human Resources Officer will be held via webinar at 9:00 a.m. The State Personnel Board will provide a Zoom link to allow the public access to both the Board meeting and the joint rulemaking hearing.

If you wish to attend the meeting via webinar, please notify the Board by April 15, 2021 at 303-866-3300 or via email at 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 THE DEPARTMENT OF PERSONNEL & ADMINISTRATION (DPA) AND REPORT OF THE DIVISION OF HUMAN RESOURCES (DHS)

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

- A. Holly Cappello v. Department of Human Services, Office of Behavioral Health, Colorado Mental Health Institute at Fort Logan, SPB 2020B046(C).

On November 23, 2020, the ALJ issued an Amended Initial Decision rescinding Respondent's constructive discharge of Complainant and awarding Complainant back pay and benefits, including reasonable attorney's fees and costs, and reinstatement to her position as a Psychologist II.

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

There are no Preliminary Recommendation of the Administrative Law Judges for review.

IV. INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES FOR POTENTIAL REVIEW UNDER § 24-4-105(14)(a)(II), C.R.S.

There are no Initial Decisions or other Final Orders of the Administrative Law Judges for potential review under § 24-4-105(14)(a)(II), C.R.S.

V. REVIEW OF THE MINUTES FROM THE MARCH 16, 2021 PUBLIC MEETING OF THE STATE PERSONNEL BOARD

VI. ADMINISTRATIVE MATTERS & COMMENTS

A. ADMINISTRATIVE MATTERS

B. OTHER BOARD BUSINESS

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

VII. PROPOSED LEGISLATION AND/OR RULEMAKING

In March, the Board voted to set a rulemaking hearing regarding Chapter 9 (Fair Employment Practices) for May 18, 2021 at 9:00 a.m.

The May 18, 2021 Board meeting will start at 8:00 a.m. The Board will conduct its regular business between 8:00 a.m. and 9:00 a.m.

VIII. EXECUTIVE SESSION

- For the purpose of receiving legal advice pursuant to C.R.S. Sec. 24-6-402(3) regarding a motion in Cappello v. DHS, SPB 2020B046(C).
- For the purpose of receiving legal advice pursuant to C.R.S. Sec. 24-6-402(3) regarding a pending court action, specifically Ulrich v. DHS, CMHIP, SPB, et. al, Case No. 20-CV-03810-KMT (D. Colo).
- For personnel matters required to be kept confidential regarding the Board Director's annual review pursuant to C.R.S. Sec. 24-6-402(3).

IX. CONTINUED JOINT RULEMAKING HEARING REGARDING CHAPTER 6 (PERFORMANCE)

Discussion of proposed changes to Chapter 6 (Performance) with the Statewide Chief Human Resources Officer; Board deliberation regarding proposed changes to the State Personnel Board Rules in Chapter 6; adoption of initially proposed changes; adoption of proposed changes as amended; and rejection of any proposed changes.

ADJOURN

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

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

May 18, 2021

8:00 am

June 15, 2021

July 20, 2021

August 17, 2021

September 21, 2021

October 19, 2021

November 16, 2021

December 21, 2021

January 18, 2022

February 21, 2022

March 15, 2022

April 19, 2022