

State of Colorado



Jared Polis
Governor

Sarah Wager
Board Chair

Rick Dindinger
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 December 14, 2021

A public meeting of the Colorado State Personnel Board will be held via webinar on Tuesday, December 14, 2021 at 9:00 a.m.

A Zoom link to the Board meeting is posted on the Board's website at: <https://spb.colorado.gov/board-meetings>.

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 303-866-5053 or 303-866-5002 by December 9, 2021.

CALL TO ORDER

Welcome to new Board member Kimberley Dempster Neilio and F. Robert Lee.

- 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 (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 Decision 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

A. Christine Mendias v. Department of Human Services, SPB 2022G003.

On November 30, 2021, the Administrative Law Judge issued a Preliminary Recommendation to grant the Complainant's petition for hearing.

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.

A. Marcus A. Maes v. Department of Transportation, SPB 2021G043(c).

On **November 29, 2021**, the Senior Administrative Law Judge issued an Initial Decision rescinding Respondent's reversion of Complainant's position, reinstating Complainant to his former Transportation Maintenance III position, and ordering reimbursement of lost wages and attorney fees.

B. Mathew Mark Stiles v. Department of Corrections, Denver Reception & Diagnostic Center, SPB 2016B034.

On **November 30, 2021**, the Administrative Law Judge issued an Amended Initial Decision on Remand rescinding Respondent's termination of Complainant's employment, modifying the discipline, and awarding Complainant back pay and benefits. The Amended Initial Decision amends the Administrative Law Judge's Initial Decision on Remand dated July 6, 2021.

V. REVIEW OF THE MINUTES FROM THE NOVEMBER 16, 2021 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.
- Mandate in Cappello v. Department of Human Services, SPB 2020B046, Court of Appeals Case No. 2021CA824.

B. OTHER BOARD BUSINESS

C. 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

For the purpose of receiving legal advice pursuant to C.R.S. § 24-6-402(3) regarding C.R.S. § 24-50-1110. In particular, C.R.S. § 24-50-1110's applicability to the Partnership Agreement (a/k/a Collective Bargaining Agreement) between the State of Colorado and Colorado Workers for Innovative and New Solutions (a/k/a Colorado WINS).

ADJOURN

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

Colorado State Personnel Board

January 18, 2022

February 21, 2022

March 15, 2022

April 19, 2022

May 17, 2022

June 21, 2022

July 19, 2022

August 16, 2022

September 20, 2022

October 18, 2022

November 15, 2022

December 20, 2022