

# 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  
Phone (303) 866-3300  
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## **AGENDA PUBLIC BOARD MEETING FEBRUARY 18, 2020**

**A public meeting of the Colorado State Personnel Board will be held on Tuesday, February 18, 2020 at 1525 Sherman Street, 1<sup>st</sup> Floor Conference Room 104, Denver, Colorado 80203. The public meeting will commence at 9:00 a.m.**

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 303-866-3300 by February 13, 2020.

### **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. Gary Christopher Ward v. Department of Corrections, SPB 2019G075(c)**

Complainant filed nine petitions for hearing with the Board between May 2019 and August 2019. Each petition alleges discrimination on the basis of gender and/or retaliation. Complainant petitions the Board to grant a discretionary hearing to adjudicate if his supervisors violated Respondent's Administrative Regulations and/or Board Rules in dealing with Complainant's reports of sexual harassment, in re-assigning him to the Sterling Correctional Facility, in issuing Complainant's Year-End Performance Evaluation, and in issuing a Confirming Memorandum. As relief, Complainant seeks 2 years of front pay.

Respondent argues that Complainant fails to allege sufficient facts to merit a hearing. As relief, Respondent requests that the Board deny Complainant's petitions for hearing and dismiss them with prejudice.

On February 5, 2020, the ALJ issued a Preliminary Recommendation to grant Complainant's petitions for hearing on the retaliation issues alleged in Petitions 1 and 2 but to deny Complainant's petition for hearing on the discrimination issues alleged in Petition 1 and to deny all issues alleged in Petitions 3 through 9.

**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 JANUARY 21, 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

**B. OTHER BOARD BUSINESS**

- Director report regarding the Board's Settlement Program

**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**

**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**

**March 17, 2020**

**April 21, 2020**

**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**