

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 February 21, 2023

A public meeting of the Colorado State Personnel Board will be held via webinar on Tuesday, February 21, 2023 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 303-866-5002 by February 16, 2023.

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 (DHR)

No report scheduled at this time.

II. MATTER ON REMAND FROM COLORADO COURT OF APPEALS

- A. Noel Hidalgo v. Department of Human Services, Mental Health Institute at Pueblo, SPB 2021B022 (Court of Appeals No. 2021CA1527).

On January 17, 2023, the Court of Appeals issued a Mandate. On December 8, 2022, the Court of Appeals issued a modified Order Affirmed and Case Remanded with Directions. On October 27, 2022, the Court of Appeals issued an Order Affirmed and Case Remanded with Directions. The Court of Appeals remanded for an award of reasonable attorney fees and costs to Hidalgo.

III. 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 or other final orders for review on appeal by the parties.

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

A. William Scott v. Department of Corrections, SPB 2022G013(c).

On January 11, 2023, the Administrative Law Judge issued a Preliminary Recommendation to grant Complainant's petition for hearing.

B. Yara Melano v. Department of Health Care Policy & Financing, SPB 2023S021.

On January 26, 2023, the Administrative Law Judge issued a Preliminary Recommendation to deny Complainant's petition for hearing and to refer the matter to the State Personnel Director for review.

C. Oluwayemisi Akinpelu v. Department of Corrections, SPB 2023S022.

On January 31, 2023, the Administrative Law Judge issued a Preliminary Recommendation to grant Complainant's petition for hearing on the claim of race discrimination but to deny the petition on the claim of national origin discrimination.

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

The Board does not need to take any action under C.R.S. § 24-4-105(14)(a)(II). The Initial Decisions or other final orders issued by the ALJs notify the parties of their right to appeal to the Board.

A. Tiffany Martin v. Governor's Office of Information Technology, SPB 2022G020.

On January 23, 2023, the Administrative Law Judge issued an Initial Decision dismissing Complainant's appeal.

VI. REVIEW OF THE MINUTES FROM THE JANUARY 17, 2023 PUBLIC MEETING OF THE STATE PERSONNEL BOARD

VII. ADMINISTRATIVE MATTERS & COMMENTS

A. ADMINISTRATIVE MATTERS

B. OTHER BOARD BUSINESS

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

VIII. PROPOSED LEGISLATION AND/OR RULEMAKING

A rulemaking hearing regarding Board Rule 1-2 is scheduled for March 21, 2023 at the earlier of the conclusion of the Board's regular business or 10:00 a.m.

IX. EXECUTIVE SESSION

The Board may vote to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. § 24-6-402(3) regarding any of the matters on the agenda.

ADJOURN

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

Colorado State Personnel Board

March 21, 2023

April 18, 2023

May 16, 2023

June 20, 2023

July 18, 2023

August 15, 2023

September 19, 2023

October 17, 2023

November 14, 2023

December 12, 2023

January 16, 2024

February 20, 2024

March 19, 2024