

State of Colorado



Jared Polis
Governor

Vacant
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 July 21, 2020

A public meeting of the Colorado State Personnel Board will be held via conference call on Tuesday, July 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 July 16, 2020 at 303-866-3300 or via email at dpa_state.personnelboard@state.co.us.

CALL TO ORDER

Welcome to new Board members Roxanne White and Karen Niparko.

- Attendance.
- Disclosure of any potential conflicts of interest with regard to present Board business and notice of recusal, if applicable.

ELECTION OF BOARD OFFICERS FOR FY 2020-2021

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. Brian Weaver v. Department of Corrections, Sterling Correctional Facility, SPB 2020G068.

Complainant disputes Respondent's final grievance decision concerning a Corrective Action. As relief, Complainant requests Respondent remove the Corrective Action from his file.

Respondent argues Complainant only asserts that the grievance process did not grant Complainant the relief he requested, and the Board does not have jurisdiction to determine whether a grievance decision is arbitrary, capricious, or contrary to rule or law. Respondent requests that the Board deny Complainant's petition for hearing and dismiss it with prejudice.

On July 2, 2020, the ALJ issued a Preliminary Recommendation to deny and dismiss Complainant's petition for hearing.

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

A. Michael Dublinski v. University of Colorado Boulder, SPB 2020G045.

On **June 25, 2020**, the Administrative Law Judge issued the Initial Decision. The ALJ found that Respondent's actions did not constitute a disciplinary action. The ALJ concluded that the Board does not have jurisdiction to review whether Respondent's actions were arbitrary, capricious or contrary to rule or law. The ALJ dismissed the matter from the Board with prejudice.

V. REVIEW OF THE MINUTES FROM THE JUNE 16, 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

- Rulemaking 101.
- The annual training per C.R.S. Sec. 24-3.7-102 will be on September 15, 2020.
- Recognition of Maurice Knaizer.

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
1st Floor Conference Room 104
Denver, CO 80203**

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

May 18, 2021

June 15, 2021

July 20, 2021