

# State of Colorado



Jared Polis  
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**State Personnel Board**  
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## **AGENDA PUBLIC BOARD MEETING March 15, 2022**

**A public meeting of the Colorado State Personnel Board will be held via webinar on Tuesday, March 15, 2022 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 March 10, 2022.

### **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)**

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 or Other Final Orders on appeal for review.

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

#### **A. Alliston Samuel v. Department of Public Safety, SPB 2022S016.**

On February 16, 2022, 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.

#### **B. Timothy Stitt v. University of Northern Colorado, SPB 2022G027.**

On February 17, 2022, 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. Gary Little v. Department of Corrections, Denver Complex, SPB 2022S018.

On February 28, 2022, the Administrative Law Judge issued a Preliminary Recommendation to grant Complainant's petition for hearing.

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

- A. Aaron McGahan v. Department of Corrections, Fremont Correctional Facility, SPB 2022B037.

On **February 24, 2022**, the ALJ issued an Order Granting Respondent's Motion for Summary Judgment and Referral to State Personnel Director; dismissing Complainant's appeal with prejudice.

- B. Albert Spaid v. Department of Transportation, SPB 2022B008.

On **March 3, 2022**, the Administrative Law Judge issued an Initial Decision Dismissing Complainant's appeal with prejudice.

**V. REVIEW OF THE MINUTES FROM THE FEBRUARY 15, 2022 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.
- Order Affirmed in Part, Reversed in Part and Remanded with Directions McCauley v. Department of Revenue, State Personnel Board Case No. 2014B061, Court of Appeals No. 20CA1344.

- 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**

- A. For the purpose of receiving legal advice pursuant to C.R.S. § 24-6-402(3), regarding a pending court action, specifically McCauley v. Department of Revenue (SPB 2014B061(c); Court of Appeals 20CA1344).
- B. 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**

**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 13, 2022**

**January 17, 2023**

**February 21, 2023**

**March 21, 2023**

**April 18, 2023**

**May 16, 2023**