

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 March 21, 2023

A public meeting of the Colorado State Personnel Board will be held via webinar on Tuesday, March 21, 2023 at 9:00 a.m. A rulemaking hearing will also be held via webinar. The rulemaking hearing will start at the earlier of the conclusion of the Board's regular business or 10:00 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 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. REVIEW OF INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES ON APPEAL BY THE PARTIES TO THE STATE PERSONNEL BOARD

There are no Initial Decisions or other final orders for review on appeal by the parties.

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

A. Gary Little v. Department of Corrections, SPB 2023G007.

On March 1, 2023, the Administrative Law Judge issued a Preliminary Recommendation to grant Complainant's petition for hearing.

- B. Ian Cox v. Department of Human Services, SPB 2023S039.

On March 2, 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.

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)

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. Louis Medina v. Department of Corrections, SPB 2023B016.

On February 21, 2023, the Administrative Law Judge issued an Initial Decision modifying the disciplinary action.

V. REVIEW OF THE MINUTES FROM THE FEBRUARY 21, 2023 PUBLIC MEETING OF THE STATE PERSONNEL BOARD

VI. ADMINISTRATIVE MATTERS & COMMENTS

- A. ADMINISTRATIVE MATTERS

- B. OTHER BOARD BUSINESS

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

VII. PROPOSED LEGISLATION AND/OR RULEMAKING

Discussion of proposed changes to Board Rule 1-2. Board deliberation regarding proposed changes; adoption of initially proposed changes; adoption of proposed changes as amended; and rejection of any proposed changes.

The Rulemaking Hearing will start at the earlier of the conclusion of the agenda items listed above or 10:00 a.m.

VIII. EXECUTIVE SESSION

- For the purpose of receiving legal advice pursuant to C.R.S. § 24-6-402(3) regarding amended claims. In particular, C.R.S. § 24-50-125.3, Board Rule 8-40, C.R.Civ.P. 15, and *State Pers. Bd. v. Gigax*, 659 P.2d 693 (Colo.1983).
- For the purpose of receiving legal advice pursuant to C.R.S. § 24-6-402(3) regarding a pending matter at the Colorado Supreme Court. Namely, a Petition for Writ of Certiorari filed in *Manning v. DOC* (SPB Case No. 2021B004; Court of Appeals No. 21CA1157).
- 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

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

April 16, 2024

May 21, 2024

June 18, 2024

July 16, 2024

August 20, 2024

September 17, 2024