

# State of Colorado



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State Personnel Board  
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## AGENDA PUBLIC BOARD MEETING September 19, 2023

A public meeting of the Colorado State Personnel Board will be held via webinar on Tuesday, September 19, 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 September 14, 2023.

### CALL TO ORDER

- 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 2023-2024

#### 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. MATTERS ON REMAND FROM COLORADO COURT OF APPEALS

##### A. Marcus Maes v. Department of Transportation, SPB 2021G043(C).

On July 13, 2023, the Colorado Court of Appeals issued its Opinion. On August 21, 2023, the Court of Appeals issued a Mandate. The Court of Appeals affirmed and directed the Board to remand the case to the ALJ to award Maes reasonable appellate fees.

##### B. Desmond Manning v. Department of Corrections, SPB 2021B004.

On December 15, 2022, the Colorado Court of Appeals issued its Opinion. On August 24, 2023, the Court of Appeals issued a Mandate. The Court of Appeals reversed and directed the Board to remand the case to the ALJ to amend the Initial Decision in conformance with the Court of Appeals' Opinion.

**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. Kaylene Larimore v. Department of Corrections, SPB 2023G041.

On September 5, 2023, the Administrative Law Judge issued a Preliminary Recommendation to deny the petition for hearing.

**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 issued by the ALJs notify the parties of their right to appeal to the Board.

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

On August 30, 2023, the Administrative Law Judge issued an Initial Decision affirming Respondent's action.

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

On September 5, 2023, the Administrative Law Judge issued an Initial Decision finding Respondent's action to be retaliatory in violation of CADA.

**VI. REVIEW OF THE MINUTES FROM THE AUGUST 15, 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**

None scheduled.

**IX. EXECUTIVE SESSION**

For the purpose of receiving legal advice and legal training pursuant to C.R.S. § 24-6-402(3), specifically as to Board Member Ethics, Board Member Conflicts of Interest, and the matters set forth in C.R.S. § 24-3.7-102.

For the purpose of receiving legal advice and discussing personnel matters pursuant to C.R.S. § 24-6-402(3) regarding the Board Director’s position description.

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**

- 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**
- October 15, 2024**
- November 19, 2024**
- December 17, 2024**