

State of Colorado



Jared Polis
Governor

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MEETING MINUTES

December 17, 2019

The State Personnel Board met in public session on Tuesday, December 17, 2019, at 1525 Sherman Street, First Floor Conference Room 104, Denver, Colorado 80203.

The meeting was called to order at 9:05 a.m. Board Members Patricia Bangert, Nora Kelly, Maurie Knaizer, and Sarah Wager were present in person. Board Member Michelle Palmquist was excused.

Rick Dindinger, Board Director, and Assistant Attorney General Amy Lopez, Board Counsel, were present in person.

I. REPORT OF DEPARTMENT OF PERSONNEL AND ADMINISTRATION [DPA] AND REPORT OF THE DIVISION OF HUMAN RESOURCES [DHR].

Kara Veitch, Executive Director of DPA, provided a report including the Governor's goal to make Colorado an employer of choice and the state's compensation review process. Ms. Veitch answered Board member questions and provided copies of the FY 2018-19 Workforce Report and the FY 2020-21 Annual Compensation Report.

II. REVIEW OF INITIAL DECISIONS OR OTHER FINAL ORDERS OF THE ADMINISTRATIVE LAW JUDGES ON APPEAL TO THE BOARD.

There were no Initial Decisions or other final orders on appeal to the Board this month.

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

A. Kirsten Gregg v. Department of Revenue, Gaming Division, SPB 2020G009.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board adopted the recommendation and granted the petition for hearing as follow: **(1)** Ms. Bangert moved to adopt the recommendation and grant the petition for hearing on the Whistleblower Act Claim. Ms. Kelly seconded the motion. The motion carried on the affirmative vote of the following

Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, and Ms. Wager. **(2)** Ms. Bangert moved to adopt the recommendation and grant the petition for hearing on the Colorado Anti-Discrimination Act Claim. Ms. Kelly seconded the motion. The motion carried on the tie vote as follows: Ms. Bangert and Ms. Kelly voted affirmatively; Mr. Knaizer and Ms. Wager voted in opposition.

B. Hayder Hasan v. Department of Corrections, SPB 2019G017.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Wager moved to adopt the recommendation and deny the petition for hearing. Mr. Knaizer seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Kelly, Mr. Knaizer, and Ms. Wager. Ms. Bangert voted in opposition.

C. Lisa Fitzgerald v. Department of Corrections, Sterling Correctional Facility, SPB 2020G025.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Bangert moved to adopt the recommendation and deny the petition for hearing. Mr. Knaizer seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, and Ms. Wager.

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

There were no Initial Decisions or other Final Orders of the Administrative Law Judges for review.

V. REVIEW OF MINUTES FROM THE NOVEMBER 19, 2019, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Ms. Kelly moved to approve the minutes as submitted. Mr. Knaizer seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Mr. Knaizer, and Ms. Wager.

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Board Counsel Lopez updated the Board as to the matters pending at the Colorado Court of Appeals.
- Director Dindinger updated the Board regarding a project to update the Board's website.

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

- There were no comments made to the Board.

VII. PROPOSED LEGISLATION OR RULEMAKING.

There was no proposed legislation or rulemaking at the meeting.

VIII. EXECUTIVE SESSION.

The Board did not enter into executive session.

The Board meeting adjourned by consensus at 10:05 a.m.

SIGNED THIS 21st DAY OF JANUARY, 2020.

Maurie Knaizer, Vice Chair

Patricia Bangert, Board Member

Nora Kelly, Board Member

Sarah Wager, Board Member