

State of Colorado



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MEETING MINUTES

March 17, 2020

The State Personnel Board met on Tuesday, March 17, 2020. Due to COVID-19, the Board held its meeting via teleconference.

The meeting was called to order at 9:02. Board Members Patricia Bangert, Nora Kelly, Maurie Knaizer, Michelle Palmquist, and Sarah Wager were present via teleconference. Rick Dindinger, Board Director, and Assistant Attorney General Amy Lopez, Board Counsel, were also present via teleconference.

Members of the public also attended the meeting via teleconference. In advance of the meeting: (a) the Board posted the number for the teleconference on its website; and (b) the Board emailed the teleconference number to parties, attorneys, members of the State's human resources community, and other stakeholders.

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

There was no report scheduled for this month.

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. Lola A. West v. Department of Human Services, Office of Behavioral Health, Colorado Mental Health Institute at Pueblo, SPB 2020G032.

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

B. Bill Matlock v. Department of Transportation, SPB 2020S013.

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

C. Angel Medina v. Department of Corrections, SPB 2018G051(c).

Following discussion of the Administrative Law Judge's Preliminary Recommendation, Ms. Palmquist moved to adopt the recommendation and grant in part Complainant's petitions 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, Ms. Palmquist, 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 FEBRUARY 18, 2020, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Ms. Palmquist 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, Mr. Knaizer, Ms. Palmquist, and Ms. Wager. Ms. Kelly abstained.

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Board Counsel Lopez updated the Board on Department of Corrections v. Stiles (SPB No. 2016B034; Supreme Court No. 2019S107). The Board indicated its consent for Eric Maxfield, Esq., to file an amicus brief in support of the Board's position.
- Director Dindinger announced that in order to do its part in social distancing, the Board has started to accept filings via email.

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

- No comments were taken because of the meeting's telephonic nature.

VII. PROPOSED LEGISLATION OR RULEMAKING.

There was no proposed legislation or rulemaking at the meeting.

VIII. EXECUTIVE SESSION.

Although the agenda scheduled an executive session, the Board did not enter into executive session.

The Board meeting adjourned by consensus at 10:46 a.m.

SIGNED THIS 21st DAY OF APRIL, 2020.

Michelle Palmquist, Chair

Maurie Knaizer, Vice Chair

Patricia Bangert, Board Member

Nora Kelly, Board Member

Sarah Wager, Board Member