

State of Colorado



Jared Polis
Governor

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Board Chair

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Board Director

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MEETING MINUTES

July 21, 2020

The State Personnel Board met on July 21, 2020. Due to the COVID-19 pandemic, the Board held its meeting via teleconference.

The meeting was called to order at 9:00 a.m. Board Members Patricia Bangert, Nora Kelly, Karen Niparko, Sarah Wager, and Roxane White 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 information about the teleconference on its website; and (b) the Board emailed the teleconference information to parties, attorneys, members of the State's human resources community, and other stakeholders.

The Board welcomed newly appointed Board members Karen Niparko and Roxane White.

I. ELECTION OF BOARD OFFICERS.

The Board conducted its annual election of officers. Ms. Bangert nominated Nora Kelly as the Board Chair. Ms. Kelly seconded the nomination. The Board acted as follows: Ms. Bangert, Ms. Kelly, and Ms. Niparko voted in favor of Ms. Kelly becoming the Board Chair. Ms. Wager and Ms. White voted in opposition. As a result, Ms. Kelly became the Board Chair. Ms. White nominated Sarah Wager as the Board Vice Chair. Ms. Bangert seconded the nomination. The Board acted as follows: Ms. Bangert, Ms. Kelly, Ms. Niparko, Ms. Wager, and Ms. White voted in favor of Ms. Wager becoming the Board Vice Chair. As a result, Ms. Wager became the Board Vice Chair. The Chair and Vice Chair will serve as officers of the Board for FY 2020-2021.

II. 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.

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

- A. Brian Weaver v. Department Corrections, Sterling Correctional Facility, SPB 2020G068.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Ms. Wager moved to adopt the recommendation and deny Complainant's petition for hearing. Ms. Kelly seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangart, Ms. Kelly, Ms. Niparko, Ms. Wager, and Ms. White.

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

- A. Michael Dublinski v. University of Colorado Boulder, Parking Services, SPB 2020G045.

The Board did not take any action.

V. REVIEW OF MINUTES FROM THE JUNE 16, 2020, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Ms. Kelly moved to approve the minutes as submitted. Ms. Bangert seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, and Ms. Wager. Ms. Niparko and Ms. White 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. 2019SC107). The case is fully briefed.
- Board Counsel Lopez updated the Board on Muller v. Department of Corrections (SPB No. 2018B012; Court of Appeals No. 2019CA1045). The Court of Appeals scheduled an oral argument for August 12, 2020.
- Board Counsel Lopez and Director Dindinger presented the basics of the rulemaking process, explained reasons for the Board engaging in rulemaking, and reported about outreach efforts.
- Director Dindinger announced that the annual training pursuant to C.R.S. § 24-3.7-102 will be on September 15, 2020. By consensus, the Board meeting on September 15, 2020, will start at 8:00 a.m.
- Director Dindinger reported that he is exploring options for conducting Board meetings via video conferencing technology.

- Director Dindinger recognized outgoing Board Vice Chair, Maurice Knaizer, for three years of exemplary service (2017-2020) and for leadership as Vice Chair (2019-2020). The Director thanked Mr. Knaizer for his wisdom, dedication and commitment to the Board's mission and for his service to the great State of Colorado. Others also praised Mr. Knaizer for his service.

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

- Director Dindinger reported that the Board had not received any written comments for the Board's consideration or requests to share a general public comment verbally.

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 10:43 a.m.

SIGNED THIS 18th DAY OF AUGUST, 2020.

Nora Kelly, Chair

Sarah Wager, Vice Chair

Patricia Bangert, Board Member

Karen Niparko, Board Member

Roxane White, Board Member