

State of Colorado



Jared Polis
Governor

Nora Kelly
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

MEETING MINUTES

June 15, 2021

The State Personnel Board met on June 15, 2021. The Board held its meeting via a Zoom webinar.

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 for the roll call via webinar. Rick Dindinger, Board Director, and Assistant Attorney General Amy Lopez, Board Counsel, were also present via webinar.

Members of the public also attended the meeting via webinar. In advance of the meeting, the Board posted information about the agenda and the webinar on its website.

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

Kara Veitch, Executive Director of DPA, reported on the Reimagine State Government initiative, including plans to reduce the state's office footprint by 1M square feet, enhanced CSEAP offerings, increased employee training opportunities, and the state's commitment to Equity Diversity and Inclusion.

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

A. Desmond Manning v. Department of Corrections, Office of Inspector General, SPB 2021B004.

Mr. Dindinger noted that Complainant filed motions to strike certain things in Respondent's briefs and that Respondent opposes those motions. The Board Members affirmed they were only considering the matters in the record upon which Judge Tyburski's Initial Decision was based, including the exhibits at the hearing and the transcript of the hearing.

Following discussion of the appeal of the Administrative Law Judge's Initial Decision, the Board acted as follows: Ms. Kelly moved to affirm the Initial Decision. Ms. Bangert seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Ms. Kelly, Ms. Niparko, Ms. Wager and Ms. White.

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

There were no preliminary reviews for review.

IV. INITIAL DECISIONS OF THE ADMINISTRATIVE LAW JUDGES FOR POTENTIAL REVIEW UNDER § 24-4-105(14)(a)(II), C.R.S.

There were no initial decisions or other final orders on appeal for review pursuant to C.R.S. § 24-4-105(14)(a)(II).

V. REVIEW OF MINUTES FROM THE MAY 18, 2021, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

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

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Ms. Lopez reported that there are two new appeals of Board matters at the Court of Appeals: *Capello v. Dep't of Human Services* and *Starzyk v. CDPHE*.
- Mr. Dindinger reminded the Board that it will be electing a Chair and Vice Chair at the July meeting.
- The Board decided to hold its December 2021 meeting on December 14, the second Tuesday of that month.
- Mr. Dindinger indicated that the Board will tentatively meet in person at its September 21, 2021 meeting for its annual training pursuant to C.R.S. § 24-3.7-102.
- Mr. Dindinger recognized outgoing Board Chair, Nora Kelly, for six years of exemplary service (2015-2021) and for leadership as Chair (2020-2021). Mr. Dindinger thanked Ms. Kelly for her wisdom, dedication, and commitment to the Board's mission and for her service to the great State of Colorado. Each of the Board Members also praised Ms. Kelly for her service.

B. GENERAL COMMENTS.

- In advance of the meeting, the Board did not receive any requests to make a general comment publicly.

VII. PROPOSED LEGISLATION AND/OR RULEMAKING

There was no proposed legislation or rulemaking.

VIII. EXECUTIVE SESSION

There was no executive session.

The Board adjourned by consensus at 10:12 a.m.

SIGNED THIS 20th DAY OF JULY, 2021.

Sarah Wager, Vice Chair FY 20-21

Patricia Bangert, Board Member

Karen Niparko, Board Member

Roxane White, Board Member