

State of Colorado



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MEETING MINUTES

October 19, 2021

The State Personnel Board met on October 19, 2021. The Board held its meeting via webinar using Zoom.

The meeting was called to order at 9:00 a.m. Board Members Patricia Bangert, David Ruchman, and Sarah Wager were present for the roll call via webinar. Ms. Niparko was excused. 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].

Lynne Steketee, Statewide Chief Human Resources Officer, updated the Board on various initiatives including enhanced training opportunities at the Center for Organizational Effectiveness, the state's wellness program, and the Employer of Choice Initiative, and also discussed the Governor's vaccination program for state employees.

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

A. Yoseph Yadessa Kenno v. Governor's Office of Information Technology, SPB 2019B044(c).

Ms. Wager reminded the Board to only consider the matters in the record upon which Administrative Law Judge Tyburski's based her order, including the exhibits at the hearing and the transcript of the hearing.

Following discussion of the Administrative Law Judge's Order Granting Respondent's Motion for Sanctions; Order of Dismissal and Notice of Appeal Rights, the Board acted as follows: Ms. Bangert moved to adopt the Order Granting Respondent's Motion for Sanctions; Order of Dismissal and Notice of Appeal Rights. Mr. Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Ms. Bangert, Mr. Ruchman, and Ms. Wager.

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

There were no Preliminary Recommendations for review this month.

IV. INITIAL DECISIONS OR OTHER FINAL ORDERS 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 scheduled for potential review under § 24-4-105(14)(a)(II), C.R.S.

V. REVIEW OF MINUTES FROM THE SEPTEMBER 21, 2021, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Mr. Ruchman 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, Mr. Ruchman, and Ms. Wager.

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Ms. Lopez updated the Board on a high number of cases at the Court of Appeals, including *McCauley v. Dep't of Revenue* (SPB 2014B061(c)), *Starzyk v. CDPHE* (SPB 2021S012), *Cappello v. Dep't of Human Services* (SPB 2020B046(c)), *Manning v. DOC* (SPB 2021B004), and *Hidalgo v. DHS* (SPB 2021B022)
- Mr. Dindinger reminded everyone that the December meeting will be held on the second Tuesday, December 14, instead of on the third Tuesday.
- Mr. Dindinger updated the Board on his communications with the Governor's office related to the vacant Board position.
- Mr. Dindinger provided the Board with a general overview of the Governor's Executive Order issued on October 3, 2021 (D 2021 132).

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

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

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 9:51 a.m.

SIGNED THIS 16th DAY OF NOVEMBER, 2021.

Sarah Wager, Chair

Patricia Bangert, Vice Chair

David Ruchman, Board Member