

State of Colorado



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Governor

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State Personnel Board
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MEETING MINUTES

December 12, 2023

The State Personnel Board met on December 12, 2023. The Board held its meeting via webinar using Zoom. Members of the public attended the meeting. In advance of the meeting, the Board posted information on its website about the agenda and webinar.

The meeting was called to order at 9:01 a.m. Board Members David Ruchman, Euell Thomas, and Sarah Wager were present for the roll call. Jenna Anderson, Esq. (Board Counsel) and Rick Dindinger (Board Director) were also present. Board Members Kimberley Dempster and F. Robert Lee were excused.

I. REPORT OF THE DEPARTMENT OF PERSONNEL & ADMINISTRATION (DPA) AND REPORT OF THE DIVISION OF HUMAN RESOURCES (DHR).

There was no report scheduled this month.

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

A. Christina Bazanele v. Department of Human Services, SPB 2024G014.

Following discussion of the Administrative Law Judge's Order of Dismissal, the Board acted as follows: Ruchman moved to affirm the dismissal. Thomas seconded. The motion carried on the affirmative vote of the following Board members: Ruchman, Thomas, and Wager.

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

A. Mercedes Mayes v. Department of Human Services, SPB 2024S008.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Thomas moved to adopt the Recommendation and grant a hearing. Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Ruchman, Thomas, and Wager.

- B. Robert McBride v. Department of Human Services and Department of Corrections, SPB 2024S002.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Ruchman moved to adopt the Recommendation, deny a hearing, and refer the matter to the State Personnel Director for review. Thomas seconded the motion. The motion carried on the affirmative vote of the following Board members: Ruchman, Thomas, and Wager.

- C. Kelley Oyewole-Toney v. Department of Human Services, SPB 2023G056.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Thomas moved to adopt the Recommendation and grant a hearing. Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Ruchman, Thomas, and Wager.

- D. Kaylynn Martin v. Department of Public Safety, SPB 2024G003.

Following discussion of the Administrative Law Judge's Preliminary Recommendation, the Board acted as follows: Ruchman moved to adopt the Recommendation and deny a hearing. Thomas seconded the motion. The motion carried on the affirmative vote of the following Board members: Ruchman, Thomas, and Wager.

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

- A. Andrew Rath v. Department of Public Safety, SPB 2023B052.

The Board did not take any action.

- B. Blessed Barrack v. Department of Corrections, SPB 2023B068.

The Board did not take any action.

- C. Tyler Gonzales v. Department of Corrections, SPB 2024B002.

The Board did not take any action.

V. REVIEW OF MINUTES FROM THE OCTOBER 17, 2023, PUBLIC MEETING OF THE STATE PERSONNEL BOARD.

Ruchman moved to approve the minutes as submitted. Thomas seconded the motion. The motion carried on the affirmative vote of the following Board members: Ruchman, Thomas, and Wager.

VI. ADMINISTRATIVE MATTERS & COMMENTS.

A. ADMINISTRATIVE MATTERS.

- Dindinger reported that Judge Charlotte Veaux had joined the Board team as an Administrative Law Judge.

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 publicly.

VII. RULEMAKING HEARING.

Following a report by Dindinger, the Board considered whether to initiate rulemaking related to Board Rules 1-19, 1-71, 4-5, 4-6, 8-6, 8-20, 8-33, 8-37, and 8-51. Wager voted to initiate the rulemaking process. Ruchman seconded the motion. The motion carried on the affirmative vote of the following Board members: Ruchman, Thomas, and Wager.

VIII. EXECUTIVE SESSION.

None.

The Board meeting adjourned by consensus at 9:50 a.m.

SIGNED THIS 16th DAY OF JANUARY, 2024.

Sarah Wager, Chair

David Ruchman, Vice Chair

Kimberley Dempster, Board Member

F. Robert Lee, Board Member

Euell Thomas, Board Member